

# TOWN OF CANTON - 2013 ANNUAL REPORT



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On the cover: Canton Junction, Canton MA

*Canton Junction was originally built by the Old Colony Railroad in 1892 by  
Bradford Lee Gilbert.*

Photo taken by: Linda Sacramona

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# ANNUAL TOWN REPORT

## *TOWN OF CANTON*

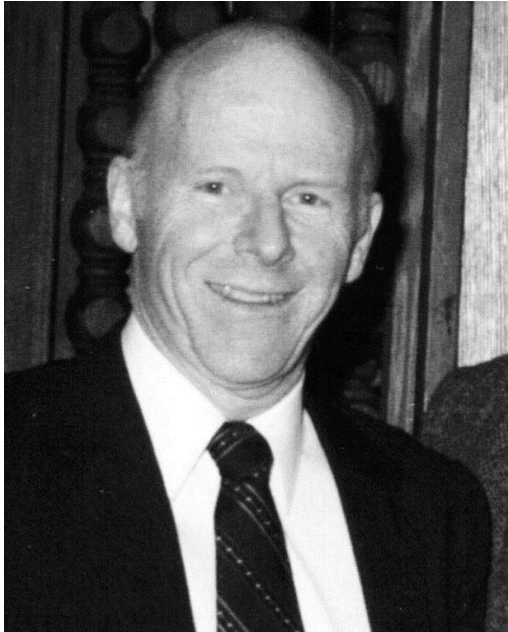


*2013*

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## ***Dedication***

*This Annual Report is dedicated to*



### ***David Grant McLelland***

*For 26 years of dedicated service to the Town of Canton and its citizens, as a past member of the Personnel Board, the Conservation Commission and a variety of community organizations.*

*In recognition of their years of service to the Town and their dedication to public service, we wish to recognize the retirement of the individuals listed below.*

**Fire Department**

*Lt. Rodney Cleveland - Supervisor of Fire Alarms*

**Library**

*David Farrow – Day Custodian*

**School Department**

*Eileen Archibald - Teacher – Luce*

*Karen Augenstern –Teacher/Coordinator – CHS*

*Maureen Cameron –Teacher – Luce*

*Lawrence J. Cheever –Teacher – CHS*

*Paul Allen Forrest – Head Custodian – CHS*

*Marilyn Roache –Teacher/Coordinator - CHS*

## ***In Memoriam***

***Peter Aledda, Sr. Teacher***

***Marjorie Bedard, Teacher***

***Paul Callanan, Teacher/Principal***

***Rafael Centeno, Police Officer***

***Olga Anne Hughes, Librarian***

***Elizabeth Mackay, School Nurse***

***Marilyn Rodman, School Committee***

***Catherine Thurber, Cafeteria Baker***

***Lawrence M. Walsh, Jr., School Principal***

***Joseph Woods, School Dept.***

## **CANTON ALMANAC**

**Settled 1650**  
**Incorporated 1797**

### **Location**

Southeastern  
Massachusetts at  
The Foot of the Blue Hills

### **Population:**

20,853

### **Form of Government**

Open Town Meeting  
Total Number of Registered

**Voters:** 14,467

### **Tax Rate:**

Residence - \$12.87  
Commercial - \$26.53

### **Taxable Property**

\$3,884,619,110

### **School System:**

3 Elementary, 1 Middle  
1 High School, 1 Parochial  
Elementary, Blue Hill  
Regional Technical School

### **Police:**

Chief, Deputy Chief, 2 Lieutenants  
6 Sergeants & 32 Patrolmen

### **Fire:**

Chief, Deputy Chief, 5 Captains,  
5 Lieutenants, 40 Firefighters,  
1 EMS Coordinator

## **IMPORTANT INFORMATION**

### **United States Senators**

Elizabeth Warren, Boston  
Ed Markey, Boston

### **Representative in Congress** **(8<sup>TH</sup> Congressional District)**

Stephen Lynch, Boston

### **Councilors:**

(Second District – Precincts 1-6)  
Robert L. Jubinville, Milton

### **State Senators**

(Norfolk, Bristol & Plymouth District)  
Brian Joyce, Milton

### **Representative in General Court**

(6<sup>th</sup> Norfolk District)  
William C. Galvin, Canton

### **Annual Town Election Date**

First Tuesday after the  
First Monday in April

### **Annual Town Meeting:**

Second Monday of May - 7:00PM

### **Highways**

Town: 91 miles  
State: 5.3 miles

### **Altitude**

126.8 feet above sea level

## **APPOINTMENTS**

### **Town Administrator**

William T. Friel

### **Town Accountant**

Kathleen Butters

### **Superintendent of Public Works**

Michael T. Trotta

### **Fire Chief**

Charles E. Doody

### **Police Chief**

Kenneth N. Berkowitz

### **Town Counsel**

Paul DeRensis

### **Building Commissioner**

Edward Walsh

### **Finance Director/Collector/Treasurer**

James Murgia

### **Director of Library**

Mark Lague

### **Custodian of Tax Title**

James Murgia

### **Assistant Collector/Treasurer**

Susan Desjardins

### **Deputy Assessor**

Karen Zukauskas

### **Workers Compensation Agent**

Jody Middleton

### **Sealer of Weights & Measures**

State Bureau of Standards

### **Executive Assistant**

Christina A. Carlton

### **Emergency Management Director**

Fire Chief Charles E. Doody

### **M.B.T.A. Advisory Member**

Edmund Franklin

### **Constables**

Kenneth N. Berkowitz

Helena Findlen

Patty Sherrill

Thomas Keleher

Paul Close

James Farris

Charles E. Penders

Robert Bradbury

Bradford Slocum

Thomas J. Brown

Robert D. Churchill

Harold March

Walker C. Farrar, Jr

Robert N. Witt

### **Board of Health Director**

John Ciccotelli

### **Veteran's Service Agent**

Anthony Andreotti

### **Tree Warden & Pest Control**

Dan Teague

### **Parking Clerk**

Tracy Kenney

### **Superintendent of Fire Alarms**

Charles E. Doody



**Plumbing & Gas Inspector**  
Marc Zade

**Animal Control Officer**  
Nadya Branca

**Wiring Inspector**  
Paul Reynolds

**Moderator (alternate years)**  
Richard Staiti/Alan Hines

## **TOWN OFFICERS**

### **SELECTMEN, BOARD OF PUBLIC WORKS & LICENSING BOARD**

*Elected Term Expires  
April of*

#### **BOARD OF SELECTMEN**

Robert E. Burr, Jr., Chair	2014
Avril T. Elkort, Vice-Chair	2015
Gerald A. Salvatori, Jr., Clerk	2015
Victor D. Del Vecchio	2014
John J. Connolly	2016

#### **TOWN CLERK**

Tracy Kenney	2015
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#### **BOARD OF ASSESSORS**

Rocco Digirolamo	2015
William C. Galvin	2016
Daniel Flood	2014

#### **BOARD OF HEALTH**

Robert P. Schneiders	2016
Richard Levreault	2015
Dr. Julie E. Goodman, Chairman	2014

#### **SCHOOL COMMITTEE**

John Bonnanzio, Chairman	2014
Cynthia Thomas	2015
Reuki B. Schutt	2014
David Emhardt	2016
Robert Golledge	2016

#### **PLANNING BOARD**

Christopher Connolly	2015
Tori McClain	2017
Kristin Mirliani	2014
Jeremy Comeau, Chair	2016
George F. Jenkins, Jr.	2018

#### **TRUSTEES OF LIBRARY**

George T. Comeau	2014
Joyce Wiseman	2015
Margaret Mead	2016
Susan Cogliano	2014
Emily Prigo	2016

Dorothy Shea	2014
Kathy Fox Alfano, Chairman	2016
Joan Schottenfeld	2015
Beth Magann	2015

#### **CANTON HOUSING AUTHORITY**

William McDaid	2018
Martin A. Dorian, Chairman	2014
John McSweeney	2015
Jill A. Duggan (State Appointee)	2016
Glen Hannington	2016

#### **BOARD, COMMISSIONS & COMMITTEES**

*Appointed Terms  
Expires April of*

#### **APPOINTED BY THE BOARD OF SELECTMEN**

##### **Beautification Committee**

##### **Term/Expires 3 Years**

June Alfano	04/30/2015
Michael McHugo	04/30/2016
Jilian B. Hayes	04/30/2016
Peter Pineo	04/30/2015

##### **Cable Advisory Committee**

##### **Term/Expires 1 Year**

Jim Sims	04/30/2014
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##### **Canton Veteran's Council**

##### **Term/Expires 1 Year**

Robert DeYeso	04/30/2014
Walter Molis	04/30/2014
Arline Love	04/30/2014
Edward Piana	04/30/2014
George Sykes	04/30/2014
Frank LaBollita	04/30/2014
Dan Teague	04/30/2014
Jack O'Neil	04/30/2014
Robert Witt	04/30/2014

##### **Commissions on Disabilities**

##### **Term/Expires 3 Years**

Kevin Feeney	04/30/2015
Nancy Gowe	04/30/2014
Lynn Findlen Valkanas	04/30/2016
Laura Findlen Lane	04/30/2016

<b>Conservation Commission</b>	<b>Term/Expires 3 Year</b>
Deb Sundin	04/30/2014
Thomas Liddy	04/30/2014
James A. Fitzpatrick	04/30/2016
Robert MacDonald	04/30/2015
Gerald Carmichael	04/30/2016
Steven Landry	04/30/2015
Ed Jastrem	04/30/2015

<b>Council on Aging</b>	<b>Term/Expires 3 years</b>
Janet Walrod	04/30/2014
James Fitzpatrick	04/30/2016
Elaine Gilmore	04/30/2016
Dr. William Sullivan	04/30/2015
Elizabeth Lethin	04/30/2015
John M. Crowe	04/30/2014
Ann Resca	04/30/2016

<b>Economic Development Comm</b>	<b>Term/Expires 1 year</b>
Gene Manning	04/30/2014
Kristen Draper	04/30/2014
Robert Panico	04/30/2014
Brian Mahoney	04/30/2014
Kevin Feeney	04/30/2014

<b>Fair Housing Committee</b>	<b>Term/Expires 1 year</b>
Vacancy (3)	

<b>Canton Cultural Council</b>	<b>Term/Expires 3 Years</b>
Patricia Powers	04/30/2014
Kathy Fox Alfano, Chairman	04/30/2015
Elizabeth Ryan	04/30/2014
Kerry Viera	04/30/2014
Renee Hanscom	04/30/2015
Jeremy Comeau	04/30/2015
Lisa Campbell	04/30/2015
Drusilla Sanusi	04/30/2016

<b>Community Preservation Committee 9 Members</b>	<b>Term/Expires 3 years</b>
Lisa Lopez - Designee – Board of Selectmen	04/30/2014
Kathy Fox – Alfano - Designee – Board of Selectmen	04/30/2014
Robert Panico	04/30/2016
Robert Gollege	04/30/2014
John McSweeney	04/30/2014
Deb Sundin	04/30/2015
George Comeau	04/30/2015
Larry Bogue	04/30/2015
Jeremy Comeau	04/30/2015

<b>Historical Commission</b>	<b>Term/Expires 3 Years</b>
George T. Comeau	04/30/2014
James A. Fitzpatrick	04/30/2014
Michael Nourse	04/30/2014
John Burke	04/30/2015
Sepp J. Bergschneider – Alternate	04/30/2016
Wallace F. Gibbs	04/30/2016
Kathleen Keith	04/30/2016
Paul Mitcheroney	04/30/2016
<b>Industrial Development Finance Authority</b>	<b>Term/Expires 5 Years</b>
<b>Master Plan Monitoring Comm.</b>	<b>Term/Expires 1 Year</b>
Mike Nourse	04/30/2014
Diane Glenn	04/30/2014
Paul J. Dooley	04/30/2014
Peter Pineo	04/30/2014
<b>MBTA Advisory Committee</b>	<b>Term/Expires 1 Year</b>
Edmund Frankin	04/30/2014
<b>Permit Advisory Committee - 3 members</b>	<b>Term/Expires 1 Year</b>
William T. Friel	04/30/2014
Robert McCarthy	04/30/2014
<b>Playground &amp; Recreation Comm.</b>	<b>Term/Expires 1 Year</b>
Debra Kelly	04/30/2014
Alison Grossman	04/30/2016
Larry Bogue	04/30/2016
Thomas W. Theodore	04/30/2016
Richard Eckler	04/30/2016
Cabot Devoll	04/30/2016
Stacy Gorman	04/30/2016
<b>Registrars of Voters</b>	<b>Term/Expires 3 Years</b>
Marilyn C. Curran	04/30/2014
Edward Marshall	04/30/2014
J. Daneen Pate	04/30/2013
Tracy Kenney – Town Clerk	N/A
<b>Reservoir Pond Committee</b>	<b>Term/Expires 1 Year</b>
Janet Maguire	04/30/2014
Steve Landry	04/30/2014
Ken Berkowitz, Police Chief	04/30/2014
Charles Doody, Fire Chief	04/30/2014
William Walsh	04/30/2014

Sandy Denehy	04/30/2014
Ann Holden	04/30/2014
David Cahill	04/30/2014
Bill Cohen	04/30/2014
Melvin Darack	04/30/2014
Brian V. Devin	04/30/2014
Jim Fitzgerald	04/30/2014
John Dillon	04/30/2014
Arlene Marano	04/30/2014
Pauline O'Leary	04/30/2014

#### **Traffic Study Committee**

#### **Term/Expires 1 Year**

Ken Berkowitz	04/30/2014
Michael Trotta	04/30/2014
Lisa Grega	04/30/2014
Chief Charles E. Doody	04/30/2014
Frank Labollita	04/30/2014
Peter Pineo	04/30/2014

#### **Water/Sewer Rate Policy Comm.**

#### **Term/Expires 1 Year**

James Murgia	04/30/2014
Michael Trotta	04/30/2014
Karen Welch	04/30/2014
Dennis Morton	04/30/2014

#### **Youth Commission**

#### **Term/Expires 3 Years**

Renee Hanscom	04/30/2016
Brenda Lee Boris	04/30/2016
Kerry Ann Callahan-Mofford	04/30/2016
Dorice M. Khoury	04/30/2014
Dina Kazis Panico	04/30/2014
Robert E. Panico	04/30/2014
Meg Kennedy	04/30/2014
Suzanne Gill	04/30/2014

#### **Zoning Board of Appeals**

#### **Term/Expires 3 Years**

Greg Pando	04/30/2014
John S. Marini	04/30/2015
Paul B. Carroll	04/30/2016

#### **Zoning Board of Appeals**

#### **Alternate Members**

#### **Term/Expires 1 Year**

Kevin Feeney	04/30/2014
James F. Fitzgerald, Jr.	04/30/2014

### **Town Sick Bank Committee**

Jody Middleton	Human Resources Administrator
Louis Jutras	Information Systems Manager
Kathleen Butters	Town Accountant
Christina Carlton	Executive Assistant - BOS
Lisa Grega	Assistant Town Engineer
Linda Brooks	Adm. Aide to Police Chief
Diane Tynan	Council on Aging Director
Marc Zade	Alternate Member

### **Health Insurance Advisory Committee**

Diane Tynan, Administrative Employees Association  
Thomas Keleher, Jr., Superior Officers  
Thomas Norton, Canton Firefighters Association  
Janet Donnelly, School Department  
James Murgia, Finance Director  
William T. Friel, Town Administrator  
Steven McCarrick – AFSCME  
Jane Consalvi – Retiree  
Jody Middleton – Human Resources Administrator  
Scott Connor – Police

### **ADA Transition Plan Implementation Committee**

Joseph V. Croce, Jr./designee	Capital Planning Comm
Jeff Granatino	Superintendent of Schools
Edward Walsh	Building Commissioner
Janet Maguire	Recreation Director
Kevin Feeney	Commission on Disabilities
Robert McCarthy/designee	Building Renovation Comm
William T. Friel	Executive Office/Bldgs & Grnds

### **UNION PRESIDENTS**

Thomas Norton, IAFF  
Scott Connor, Police  
Thomas Keleher, Jr., Superior Officers  
Tony Pinheiro, AFSCME  
Edward Walsh, AEA

### **APPOINTED BY THE PLANNING BOARD**

#### **Canton Center Design Review Board**

Michael Nourse, Historical Commission	2014
Peter Pineo	2014
Diane Glenn	2015
Gary Vinciguerra	2016
Darren Shaffer	2016
Donald Novack – Alternate Member	2016

## **APPOINTED BY MODERATOR**

### **Finance Committee**

Jim Sims	2016
Diane Wolff	2015
Mark Porter, Vice-Chair	2014
Robert Barker	2015
Diane Gustafson	2016
Barbara Saint Andre	2016
Sepp Bergschneider	2016
Gerald Dorfman	2015
Tim McKenna	2015

### **Capital Planning Committee**

Gene Manning, Chairman	2014
Paul Price	2014
Patricia Johnson	2016

### **Building Renovations Committee**

Robert McCarthy, Chairman	2016
Charles J. Armando	2015
Chris Podgurski	2015
Maureen A. McDonough	2013
John McCourt	2014
Dave Emhardt (School Comm.)	
MikeQuinn (COPC)	
Kevin Feeney (COD)	
John Connolly (BOS)	
Kathleen Butters (Finance Dept.)	

Associate Members: Ken Leon, Chief Kenneth Berkowitz, Chief Charles Doody and Mark Lague.



## **BOARD OF SELECTMEN - 2013**

The calendar year ending December 31, 2013 was a period of fiscal challenge and heightened civic engagement, even while the region continued to show signs of gradual recovery, from an economic recession unlike any other since the Great Depression. The Board, working with our professional staff and other citizen committees, sought to enhance the quality of municipal services and responsiveness to our residents despite the continuing difficult fiscal conditions. However, with conservative budgeting practices, creative increases in revenue, and solidly increasing reserve practices, I am proud to say we continue to put “Canton First” and we are assuredly “Canton Strong”.

The biggest challenge we all faced in 2013 was the devastating tragedy at the Boston Marathon. It was a most heinous and horrendous act of cowardice by sick individuals. The Board must recognize the dedication and heroism of our Police Department, Fire Department, Department of Public Works, and so many others. Whether the assistance provided in Boston and Watertown or the vigilance and unwavering professionalism at home in Canton, the Board offers our deepest gratitude to all of those that work so selflessly to keep us safe and sound. Thank you for all you do and may God Bless you all and keep you safe.

The Board of Selectmen wishes to thank the many citizens who volunteer their time to serve on the various Boards, Committees, and Commissions that are vital to the functioning of our local government. The Board will continue to solicit and recruit citizens to become involved and to volunteer their time and skill to the Town. Current openings for these Boards can be found at [www.town.canton.ma.us](http://www.town.canton.ma.us). We also thank all of our employees for their dedication and professional service to the residents of Canton. The only way we as a community can succeed is as a team.

The Board of Selectmen continued this year our ongoing focus of the University Station Project, formerly known as the Westwood Station Project. The new developer, Westwood Marketplace Holdings, LLC, continued to work cooperatively with the Town and have proposed a project considerably smaller than the original larger scale project. The Board continued to pursue the necessary road improvements to ensure they be incorporated into the Project to accommodate the increased daily vehicular traffic estimated at 40,000 vehicles per day. We are pleased to say that in August of this year, Westwood Marketplace Holdings, LLC and the Town of Canton executed a Cooperation Agreement. Pursuant to the Agreement, WMH presented the Town with a check in the amount of \$1,350,000. The Board of Selectmen may use such funds to defray the Town’s costs and expenses associated with the University Station project, including but not limited to the costs of designing and constructing roadway improvements as determined by the Board of Selectmen. This payment is the first in a series of payments tied to construction progress. As much as each member of the BOS works diligently on a variety of tasks, I’d like to take this opportunity to thank Selectman Vic Del Vecchio and Selectman Bob Burr for taking the point on this issue for the Board and the tireless dedication they gave to ensure the Town was protected.

The redevelopment of Plymouth Rubber continued to also be a major focus of the Board this year. The Board of Selectmen employed the services of Attorney Mark Bobrowski to develop and oversee an impact study report to be sure any planned redevelopment would be the best fit for the Town and result in the least impact. Attorney Bobrowski engaged subconsultants who specialized in areas of importance related to the development. After careful review of the report by the Board of Selectmen, the School Committee, Finance Committee, Planning Board and many residents, the Board voted to not support the project in the proposed form and its rental residential density.

Other activities and accomplishments the Board of Selectmen has worked on include:

1. The Agreement with Southern Sky Renewable Energy for the lease and construction of a solar park on Pine Street realized this year the, as expected, \$300,000 in annual lease payments. In addition, it too has generated savings to the Town of approximately \$46,000 per year in energy cost reductions through net metering credits provided by NSTAR.
2. Architectural plans for the renovation of the new Canton Senior Center at 500 Pleasant Street were completed and the project has gone out to bid. It is expected that renovations will be complete by fall 2014. Our thanks to the Building Renovation Committee for their assistance and ongoing efforts to provide our senior community with an upgraded multi-functional center to meet new friends and experience expanded programming. As much as each member of the BOS works diligently on a variety of tasks, I'd like to take this opportunity to thank Selectman John Connolly for taking the point on this issue for the Board and service he led for Canton's Seniors.
3. We continue to work with the Massachusetts Municipal Association, Norfolk County Selectmen's Association and the Massachusetts Selectmen's Association on legislative matters impacting our Town. The latest resolutions include, but are not limited to, calling for solutions to the transportation finance crisis in Massachusetts. Representative William C. Galvin, State Senator Brian Joyce and Congressman Steven Lynch continue to work diligently on our behalf. We are most appreciative for their continued efforts and support.
4. The Senior Tax Rebate Program proved once again to be a success. This program, now enrolling over 110 seniors, administered with the assistance of Karen Zukauskas, Director of Assessing, and Diane Tynan, Director Council on Aging, benefited all who participated (both volunteers and Town Departments).

5. The two (2) new water treatment facilities for our water system including Well #9 are completed and operational. These two water treatment plants will filtrate all usable drinking water in Town. The Town has realized continued savings of millions of dollars by producing water locally (at more than one half the cost of purchasing water from the MWRA).
6. At the close of 2012, the Town acquired, by donation, Reservoir Pond which has an estimated value in excess of \$10 million, after the Office of Dam Safety issued a Certificate of Compliance for repairs to the Dam. The Board has appointed a Reservoir Pond Advisory Board to study future use of Reservoir Pond and the surrounding town land. We look forward to the Advisory Board's recommendations expected in the coming year.
7. The Town was recognized and awarded this year, based on its completion and submission of a Comprehensive Annual Financial Report (CAFR) to the National Government Finance Officers Association (GFOA). Canton is one of approximately 20 elite Massachusetts communities that have attained the level of professionalism in financial tracking and reporting for the 7<sup>th</sup> consecutive year. There are many dedicated Town employees who deserve our appreciation but the efforts of Jim Murgia and his staff must be recognized.
8. Cynthia O'Connell was appointed by the Board as the Town's new Conservation Agent in March of this year. There were 13 applicants in total and three finalists were interviewed by the Board at a public meeting. We look forward to working with Cynthia who brings with her a wealth of knowledge and experience in her field. The Town has engaged Cynthia as part of a regional job sharing initiative with the Town of Dedham, serving each community.
9. The Gridley Pre-School Program unfortunately did not continue this year, due to low enrollment. Janet Maguire, Recreation Director noted that the program was operating at a deficit. Although attempts were made by the Board of Selectmen to increase enrollment and increase tuition, the efforts were futile and the program ceased operation. However, the Town is fortunate to have a variety of alternative programs available.
10. The Board finalized the appointment of members to the Community Preservation Committee. The composition of this important Committee is one designee from each of the following: Conservation Commission, Historical Commission, Planning Board, Recreation Commission, Housing Authority, School Committee and Capital Planning Committee, as well as two designees of the Board of Selectmen. This Committee presented its first recommendation to the Annual Town Meeting in 2013 and continues to study the needs, possibilities and resource allocation from CPC funds in areas such as historic preservation, housing, open space and recreation.

11. Town Meeting voted to designate a specific area of Route 138 as a Senior Housing Overlay District (SHOD) at Annual Town Meeting in 2013. Brightview Senior Living plans to construct the Town's first Senior Living Facility, with unit designations of "Independent Living" and "Assisted Living" to address and provide this type of housing in Canton.
12. The Board renegotiated an existing agreement with Ion the Ball (Billboard company) for an increased fixed annual donation to the Town in the amount of \$75,000/year for a term of 20 years or \$1,500,000. The location of the billboard is to the rear of 75 Shawmut Road, facing I-95.
13. Curbside collection of solid waste and increased recycling is being fully evaluated by the Board. In an effort to solicit feedback and concerns of the citizens in Town, outreach and educational materials were posted on the Town Website with a request to submit comments and suggestions to the Board of Selection email to tailor a final collection plan. This effort was prompted by Covanta Energy's plan to significantly increase tipping fees for solid waste. A focus on recycling is an important part of any new initiative.
14. The Board of Selectmen actively maintains emergency preparedness training and communication with its Police, Fire, School Department, and State and Federal agencies, to ensure that the proper level of communications, equipment and training are ongoing in Canton to respond to any emergency in the public's interest. The Town is very well served by the expertise and professionalism of Police Chief Ken Berkowitz and Fire Chief Charlie Doody.
15. Approximately 10 years ago, the Town commenced legal action to obtain the property known as 35 Turnpike Street for nonpayment of taxes. The property consisted of two parcels of land. On April 26, 2010, under Article 26 of the Annual Town Meeting, the citizens voted to approve the acquisition of the property at 35 Turnpike Street for non-payment of real estate taxes. These two parcels were sold through Auction proceedings in December of 2013 for a total of \$320,000. This initiative was one of many spearheaded by Town Administrator Bill Friel.
16. Canton was once again awarded the prestigious AAA bond rating. We join a very small and select group of Massachusetts communities (approximately 15 out of 351 cities and towns) who have been similarly designated. This distinction, especially in this economic climate, is a tribute to the Town's ongoing efforts to manage its finances, consistent with the highest of standards. This accomplishment is one we all should be very proud, and again kudos to Jim Murgia.

In April 2013, at our annual Town Election, John J. Connolly was elected to a new three-year term. Congratulations John! Immediately following the 2013 Annual Town Meeting, the Board reorganized. Board reorganization was as follows: Gerald A. Salvatori, Jr., Chairman; Avril T. Elkort, Vice Chairman; Robert E. Burr, Jr., Clerk; John J. Connolly, Member, and Victor D. Del Vecchio, Member.

On behalf of the Board, I would like to thank everyone who continues to utilized "Selectmen Direct," a web-based communication tool that allows citizens to directly contact and communicate with the Board of Selectmen. We have seen a dramatic increase in this form of communication. All citizens are encouraged to conveniently communicate with the Board via email at [bos@town.canton.ma.us](mailto:bos@town.canton.ma.us). Please note that design improvements and mobile functionality to the Town Website is expected next year.

Additionally, the Board owes a debt of gratitude to our staff. It is always a point of pride to hear residents, business owners, members of various Town committees, and other project proponents offer their appreciation for the assistance Bill, Tina, Jen, and Judy provide. They assuredly make us look good. I know that their hard work makes a world of difference to us, so we'd like to offer our sincerest thanks.

On a personal note, I know the members of the Board would like to take a moment to recognize and thank our families. Like many elected and appointed officials, the members of the Board spend a considerable amount of time away from home at meetings and various functions as well as countless hours off camera doing the good work for the Town. Our heartfelt love and appreciation go out to our families for the patience and understanding they show as we do what we do.

Finally, the Board of Selectmen wishes to recognize and honor all of the brave men and women serving in the armed forces, both domestically and abroad, to preserve freedom around the world. It is a comfort that not one of us should ever forget that we can sleep safely at night while they are on the watch.

It is my honor to serve the Town on the Board of Selectmen and it has been my privilege to serve as Chairman this year. I want to thank my Board mates for their faith in me and their support. "Canton First!"

Respectfully submitted,

Gerald A. Salvatori, Jr., Chairman  
Canton Board of Selectmen

## **BOARD OF ASSESSORS**

Daniel Flood, Chairman  
William C. Galvin, Member  
Rocco DiGirolamo, Clerk  
Karen Zukauskas, Director of Assessing  
E-mail: [Assessing@town.canton.ma.us](mailto:Assessing@town.canton.ma.us)

801 Washington St.  
Canton, MA 02021  
Telephone 781-821-5008  
Fax 781-575-6624

### Hours of Operation:

Monday, Wednesday, Thursday & Friday  
Tuesday

8:00 A.M. to 5:00 P.M.  
8:00 A.M. to 7:00 P.M.

The Board of Assessors hereby submits its annual report:

Gross Amount to be Raised by Taxation:	\$92,127,429
Total Estimated Receipts and Available Funds:	29,662,301
Net Amount to be Raised by Taxation:	62,465,127
Residential Valuation:	2,971,728,949
Commercial, Industrial & Personal Property Value:	912,890,161
Total Taxable Valuation:	\$3,884,619,110
Residential Tax Rate:	\$12.87
Commercial Tax Rate:	\$26.53

The triennial revaluation of the Town was just completed and the Board of Assessors received notice that the tax rates were approved in November of 2013. The next revaluation will be in fiscal year 2017. We want to thank our current staff Karen Zukauskas – Director of Assessing, Carolyn Floyd - Assistant to the Director of Assessing, Mary Tynan-Cassidy - Assessing Technician, Patricia Brooks - Board Secretary and Katherine Barry – Assessing Clerk for their assistance throughout this past year. We would also like to thank our senior program workers Maureen White and Sheila McNeely for all of their support.

The Board of Assessors has made property information and record cards available on the Town's website. You can access this information at [www.town.canton.ma.us](http://www.town.canton.ma.us).

We would also like to thank other Town Officials, Boards, Committees and Commissions for their assistance. Taxpayers are reminded that the next revaluation will take place this year. New values should be completed by November 2013. As in the past, the Board of Assessors thanks the taxpayers of the Town of Canton for their cooperation.

Respectfully submitted,  
Daniel Flood, Chairman

## **BEAUTIFICATION COMMITTEE**

The Beautification Committee serves as advisors to the selectman and other boards, departments and commissions of the Town in matters relating to aesthetics, recommend plans for public buildings and other public areas and may undertake direction of projects as authorized by the selectmen. (Article 23, Section 6A of town by-laws)

2013 has been a transitional year for the Beautification Committee. We have seen the departure of two of our longstanding members June Alfano and Shirley Morse while Jilian Hayes has been welcomed to the committee.

June Alfano served on the committee from 1995-2013.

For eighteen years June's commitment to the Beautification Committee and the Town of Canton has been invaluable. The committee will always remember her enthusiastic input particular regarding plantings, especially her "love of impatience".

Shirley Morse served on the committee from 1993-2013.

Remarkably Shirley was chairman of the committee for her entire 20 year tenure. Shirley's energy and leadership will be sorely missed. Most of the committee's greatest accomplishments would not have been possible without Shirley.

The 1997-1999 fundraising project of selling the 'brick courtyard' and 'library walkway' was Shirley's biggest accomplishment. The funds raised from this endeavor are still being used today.

Throughout the years some of the most remarkable events were:

1992 - Successfully secured a \$1500 grant for a tree farm at Pequitside

1993 - Arbor Day Hansen School- distributed 1000 tree seedlings to the students to take home and plant.

1997 Creation of the brick plaza at the Town Hall

1999 Creation of the brick pathway in front of the library

1999-2003 Elliot Green (current day police station) Granite curbing, irrigation, trees & plantings

2003 - High Street Bridge, 25 evergreens at the Armando Recreation Center, purchased horticultural equipment for the town

2004 – present - Assist with landscaping at the Joseph Armando Center (historic lanterns, trees, landscaping beds)

2011 – Town Hall pedestal and picnic table Planted trees in front of the Town Hall

While the Beautification committee has always had a modest budget, the committee has participated in fundraising efforts to help support the projects.

2014 will be an ‘organizational’ renewal for the Beautification Committee. Currently the committee has two openings. We look forward to a productive year.

Mike McHugo & Peter Pineo



**BUILDING DEPARTMENT**

**801 WASHINGTON STREET**

**CANTON, MA 02021**

**TEL: 781-821-5003 FAX: 781-575-6574**

**DEPARTMENT HEAD**

**EDWARD T. WALSH**

**BUILDING COMMISSIONER/ZONING ENFORCEMENT OFFICER**

**INSPECTION STAFF**

Local Building Insp., Paul McCarthy  
Plumbing/Gas Insp., Marc Zade  
Electrical Insp., Paul Reynolds

**OFFICE STAFF**

Marie Brennan, Admin. Assistant  
Velma J. Coffey, Dept. Secretary

**OFFICE HOURS**

Monday - 7:30 AM to 5:00 PM

Tuesday thru Friday - 7:30 AM to 3:30 PM

Submitted herewith is the Annual Report of the Building Department for the Year 2013.

**PLUMBING AND GAS DIVISION**

Plumbing permits issued - **679**

Gas permits issued - **708**

Fees collected - **\$61,262**

Fees collected - **\$39,479**

**ELECTRICAL DIVISION**

Electrical permits issued - **675**

Fees collected - **\$101,645**

## **BUILDING DIVISION**

### **SUMMARY REPORT OF BUILDING PERMITS ISSUED**

1. New Single Family Dwellings.....	18
2. New Two Family Dwellings.....	0
3. New Multi-Family Dwellings (216 Units).....	20
4. New Commercial/Industrial Buildings.....	6
5. Additions to Residential Dwellings.....	19
6. Additions to Commercial Buildings.....	4
7. Alterations and Repairs to Residential Dwelling.....	487
8. Alterations and Repairs to Comm/Ind Buildings.....	99
9. Signs.....	21
10. Swimming Pools.....	10
11. Renewed, Replace Permits.....	42
12. Occupancy Permits.....	70
13. Temporary Occupancy.....	19
14. Stoves.....	5
15. Accessory Buildings, Sheds, Barns, etc.....	4
16. Demolition Permits.....	16
17. Temporary Structures, Tents, etc.....	39
18. Foundation Permits.....	5
19. Amendments to Permits.....	10

**TOTAL.....894**

**TOTAL Valuation on Building Permits Issued**                      **\$48,014,121**

Fees collected on Building Permits Issued	<b>\$622,992</b>
Fees collected on Annual/Assembly Certificates Issued	<b>\$ 3,435</b>
Fees collected on Plumbing/Gas Permits Issued	<b>\$100,741</b>
Fees collected on Electrical Permits Issued	<b><u>\$101,645</u></b>

**TOTAL REVENUE**    **\$828,813**

Respectfully submitted,

Edward T. Walsh  
Building Commissioner

## **BUILDING RENOVATION COMMITTEE**

Town of Canton, Massachusetts  
801 Washington St.  
Canton, Massachusetts 02021

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Bob McCarthy Chairman, Chuck Armando, Chris Podgurski, Maureen McDonough, John McCourt At Large Members.  
Kevin Feeney, Disabilities; Mike Quinn, COPC; Dave Emhardt, School Comm; John Connolly BOS; Kathy Butters, Finance Dept, Frieda Domaingue, Secretary

During the 2013 year the Building Renovation Committee (“BRC”) continued its management of the projects approved at earlier Town Meetings. The Following is a list of some of the projects that were addressed by the Building Renovation Committee in the past year:

- 1) Senior Center: Town Meeting Appropriated \$650,000 to purchase and rehabilitate the K of C Building in 2012. The Town voted \$1,360,000 at Town Meeting in May 2013 for complete renovations to the building as required by State Law. The BRC is currently working with an Architect on plans to rehabilitate this building. Construction is expected to begin in January 2014 and completion is expected by September 2014
- 2) Hansen School: Replacement of windows. Town meeting voted \$342,000 in 2012 and voted an additional \$681,295 in 2013 to supplement the previous amount Town Meeting voted due to increased costs of the project. The Commonwealth of Massachusetts will reimburse the Town of Canton 45% when this project is completed. This project will be completed during the summer of 2014 when students are not in the building.
- 3) Galvin Middle School: Replacement of Windows. Town Meeting voted \$411,950 in 2012 and voted an additional \$919,322 in 2013 to supplement the previous amount Town Meeting voted due to increased cost of the project. The Commonwealth of Massachusetts will reimburse the Town of Canton 45% when this project is completed. This project will be completed during the summer of 2014 when students are not in the building
- 4) School HVAC: This is a continuing program. It is proceeding on schedule.
- 5) Weatherization of School Building System wide. This project has been completed.
- 6) Hansen Bathroom Partitions. This project has been completed.
- 7) Bleacher Repairs. This project has been completed

I would like to thank our associate members, Ken Leon, Mark Lague, Police Chief Ken Berkowitz, Fire Chief Charles Doody and all the other professional employee's at Town Hall as well as our secretary Frieda Domaingue. As a volunteer committee these people keep us informed and perform the day to day work necessary to allow these projects to be completed on time, on budget.

I would like to thank my fellow committee members. Their knowledge and expertise is what makes this committee function so well.

Respectfully Submitted,

Robert J. McCarthy, Chairman

Building Renovation Committee

## **CONSERVATION COMMISSION**

Pequitside Farm  
79 Pleasant Street second Floor  
Canton, Ma. 02021  
Office (781) 821-5035 Fax (781) 821-7456  
[concom@town.canton.ma.us](mailto:concom@town.canton.ma.us)

### **Office Hours:**

Monday – Thursday  
8:30 A.M. to 3:30 P.M.  
Fridays 8:00 A.M. to 11:30

### **Conservation Commission Members:**

Deb Sundin – Chairman  
Thomas Liddy – Vice - Chairman  
James Fitzpatrick – Clerk  
Steve Landry – Treasurer  
Robert MacDonald  
Gerald Carmichael  
Ed Jastrem

### **Conservation Agent Hours:**

Monday, Wednesday & Friday  
7:00 A.M to 4:00 P.M., Appointment

### **Pequitside Sub-Committee:**

Gerald Carmichael  
Deb Sundin  
Ed Butler, Maintenance/ Grounds  
Technician

**Conservation Agent:**  
**Cynthia O’Connell**

**Office & Recording Secretary:**  
**Heather Cahill**

Conservation Commission holds public hearings on the second and fourth Wednesday of every month, Pequitside Farm, Tavern Room located at the rear of the main house. Public Hearings begin at 7:00 P.M. all hearings are open to the public and recorded by Canton Community Television. All permits and forms are available on the Conservation website [concom@town.canton.ma.us](mailto:concom@town.canton.ma.us) or Conservation office (781) 821-5035

Pequitside Sub-Committee meetings are held on the third Monday of every month, 9:00 A.M. on the second floor of the main house of Pequitside Farm. Conservation and Pequitside Sub- Committee hearing dates are posted on the Town Of Canton website and at Town Hall.

Conservation hearings were up this year. A sign that the economy is improving. There were 35 Notice of Intent public hearings, 15 Stormwater public hearings and 27 Land Disturbance Permits issued in 2013. A number of large projects that were waiting for the economy to improve are now in the pipeline. The Commission issued a denial in only one request for a NOI permit. It has been many years since the Commission has denied a project and where the applicant was not willing to work with the Commission on a solution.

The Commission hired a new part-time conservation agent, Cynthia O'Connell, in 2013. Cindy brings a wealth of experience and knowledge to the position and we are fortunate to have her supporting the commission. In addition to reviewing projects, Cindy has been working with our secretary to reorganize the filing system, streamline the application process, review fees and update the website. Our many thanks to our interim agent, Brooke Munroe, for helping us get through the first half of 2013 and making a seamless transition to Cindy.

With 3 new members added to the Commission over the last year, the commission held on-site training provided by Christine Odiaga of the Mass DEP and will continue to pursue training opportunities with DEP and MACC for all commissioners.

During 2013 there were no significant improvements to Pequitside Farm, Pequitside Woods and the Edward J. Lynch house , but there were ongoing maintenance issues that were attended to by the Building and Grounds department, for which we are deeply grateful. Pequitside Farm is continuously being maintained and managed for community use. Edward J. Lynch House and grounds are available to rent for fundraisers, weddings, showers, or meetings, applications are available on the Pequitside Farm website [pequitside@town.canton.ma.us](mailto:pequitside@town.canton.ma.us) for pricing and availability please contact the office at (781) 821-5035

It is the Commissions sincerest wish that all Canton residents are allowed to enjoy their own land and the public lands surrounding them. It is also our wish that we all come to understand the great importance that we have as a community to protect our natural resources for ourselves and for the many generations to follow. When using public lands for recreation, please abide by the rules and regulations that have been established for the protection of the land and the people who use it.

We would like to thank Ed Butler (Building and Grounds Supervisor), and the Canton Board of Selectman without whose assistance that we would not be able maintain and repair our buildings and grounds.

Finally we would like to thank our secretary, Heather Cahill, for all her work and assistance with maintaining the Commission Office, building and grounds rental and supervision of our senior volunteers, and sincerest thank you to Conservation Agent Cynthia O'Connell for having the patience to work with commission, conducting site visits, meeting with applicants but most of all working with all town boards, departments, including during the Board of Selectman as Conservation works through personnel changes during the past year.

Best Wishes to all Canton residents,

Debra Sundin -Chairman

## COUNCIL ON AGING

660 Washington St  
Canton, MA 02021  
781-828-1323

Diane Tynan, Director

Robin Tobin, Outreach Worker

Administrative Personnel:

Dale Rushworth

Peggy Cibotti

Linda Friel

Members:

Janet Walrod, Chairman

Elaine Gilmore, Vice Chairman

James Fitzpatrick, Secretary

Betty Lethin, Member

Dr. William Sullivan, Member

Dr. John Crowe, Member

Ann Resca, Member

Hours of Operation:

8:30 a.m. to 4:00 p.m. Monday – Friday

The Director of the Council is Diane Tynan, a full time Town employee. Robin Tobin is also a full time employee and she serves as the Outreach Worker for the Town. Dale Rushworth, Peggy Cibotti, and Linda Friel are part time administrative personnel. The Senior Center, under the auspices of the Council on Aging, is open from 8:30 AM to 4:00 PM five days a week.

The mission of the Council on Aging is to maintain the health and wellbeing of Canton seniors and assist in preserving their independence. The current number of those 60 and older in our community is 5146 . For these elders, their quality of life is often related to the richness of day to day activities and the continuity of relationships. The Senior Center strives to provide a home away from home environment with a variety of programs including essential services and activities that provide new interests as well as new friendships. The Council on Aging (COA) also operates as an information resource for all Canton residents regarding programs and essential services that are available to them.

The COA, with its many dedicated volunteers and limited professional staff, provides a vast number of services to Canton residents. Some of these services include fuel assistance, counseling to individuals and families, educational activities, health programs, tax assistance, social programs, and physical exercise programs geared to seniors held in multiple locations. Various personal services through HESSCO are also provided to Canton elders. These include home care and assistance that is needed due their physical condition along with other services provided by HESSCO in conjunction with the COA. Meals on Wheels, which are

prepared the Senior Center facilities, are also provided to Canton elders that are not mobile outside of their homes.

The Town of Canton offers a property tax work off program for seniors 60 and over which is managed by the Council on Aging. Under this program, participating taxpayers work in various Town Departments and receive up to \$1000.00 reduction in their property tax bill. This program is very successful since it assists various municipal departments as well as the senior participants.

Transportation is another important function of the COA. With two buses and a van, all three of which are handicap accessible, and a car, transportation is provided for doctors' appointments, food shopping, some errands, etc. Currently these bus trips are scheduled by the Recreation Department at least 48 hours in advance for medical appointments and 24 hours for errands. We are fortunate to have five part time bus drivers: Herb Silverman, Bob Antonucci, Richard D'Attanasio, Charles Pender and Allen Widberg.

The Council on Aging is able to successfully provide these many services because of the many volunteers who assist on a daily basis. Without their help, we simply could not operate with so few paid personnel that we currently employ. We are also indebted to the private business, clubs and residents of Canton who donate to our cause on a regular basis. It should also be noted that COA employees are very dedicated and loyal far beyond what is required of their respective positions.

The Canton Housing Authority has generously provided state owned space to the Council on Aging for 25 plus years and we are very grateful. We now excitedly anticipate our move in this year to 500 Pleasant Street. We look forward to additional space for existing and new programs, more parking and the flexibility built into the building design. The Council on Aging is grateful to the Canton Board of Selectmen and other Town Boards, Departments and residents that brought this to fruition.

Respectfully submitted,

Diane Tynan, Director  
&  
Janet Walrod, Chairman



## FINANCE DEPARTMENT

801 Washington Street, Canton, MA 02021

Fax (781) 575-6608

James R. Murgia, Finance Director 781-575-6612  
jmurgia@town.canton.ma.us

Kathleen D. Butters, Town Accountant 781-575-6605  
kbutters@town.canton.ma.us

Susan Desjardins, Asst. Treasurer/Collector 781-821-5006  
sdesjardins@town.canton.ma.us

Louis M. Jutras, Information Systems Manager 781-821-5069  
ljutras@town.canton.ma.us

Hours of operation: 9:00 AM to 5:00 PM (Monday, Wednesday, Thursday, Friday)  
9:00 AM to 7:00 PM (Tuesday)

### ANNUAL REPORT

The Finance Department contributed to several major accomplishments during the year:

- Received from the Government Finance Officers Association their Certificate of Achievement for Excellence in Financial Reporting due to our preparing a Comprehensive Annual Financial Report (CAFR) for fiscal 2012. This is the 7th year we have received this award after preparing a CAFR and plan on doing this annually.
- Prepared a Comprehensive Annual Financial Report for fiscal 2013, which is available on the Town's website.
- Issued 20 year bonds amounting to \$6.0 million in March 2013 with Robert Baird & Company. being the low bidder at an interest rate of 2.4%.
- Collected 99.2% of the property taxes due for fiscal 2013, amounting to almost \$60 million.
- Invested cash balances resulting in interest income of \$106,000 in fiscal 2013.
- Submitted various financial reports to the Department of Revenue who then certified the Town's free cash reserve as of June 30, 2013 to be \$2.9 million. This "rainy day fund" along with \$4.6 million in our Stabilization Fund will help

to maintain the Town's highest bond rating of AAA and to fund one-time unforeseen expenditure needs.

- Submitted grant forms requesting reimbursement for the February 2013 blizzard, which resulted in receiving over \$190,000 from FEMA.
- Invested over \$100,000 in a new Virtual Server Infrastructure which replaced 5 physical servers.
- Implemented a Virtual Desktop solution to aid in transitioning users from desktops to mobile devices.
- Replace 35 physical desktop computers in various municipal offices.
- Embarked on a website redesign project that will incorporate all municipal departments.

We have prepared a comparative balance sheet and statement of revenue and expenditures for the Town's general fund. We have also prepared a report on trust fund cash balances and long-term debt.

I would like to thank all Departments, Boards, Commissions, Committees and the Finance Department staff for their cooperation during the past year. The accomplishments of the past year were the result of the hard work and efforts of this entire group of professionals.

Respectfully submitted,

James R. Murgia  
Finance Director

TOWN OF CANTON  
MASSACHUSETTS  
GENERAL FUND  
Balance Sheet (1)

	As of June 30				
	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>
<u>Assets</u>					
Cash and Short-Term Investments	\$ 18,785,224	\$ 17,912,965	\$ 16,940,144	\$ 14,563,128	\$ 15,241,402
Receivables-Net of Uncollectible Amounts:					
Property Taxes	576,418	621,348	739,410	1,103,633	588,153
Tax Liens and Foreclosures	1,531,791	1,330,045	1,104,284	978,933	962,126
Excise Taxes	547,033	106,840	170,863	173,803	171,484
Due From Other Governments	3,210,035	3,605,923	4,001,029	4,396,135	4,791,241
Other Assets	700,975	444,048	748,109	84,602	15,231
Total Assets	<u>\$ 25,351,476</u>	<u>\$ 24,021,169</u>	<u>\$ 23,703,839</u>	<u>\$ 21,300,234</u>	<u>\$ 21,769,637</u>
<u>Liabilities and Fund Equity</u>					
<u>Liabilities</u>					
Accounts Payable	\$ 1,131,795	\$ 763,695	\$ 1,034,789	\$ 1,037,871	\$ 817,488
Payroll Payable	3,148,230	2,821,074	2,722,580	2,602,887	2,386,644
Other Liabilities	29,963	358,064	448,654	367,778	273,387
Deferred Revenue	5,620,685	5,472,257	5,823,790	6,549,227	6,219,633
Provision for Abatements & Exemptions	1,152,000	1,220,000	446,000	584,000	823,000
Total Liabilities	<u>11,082,673</u>	<u>\$ 10,635,090</u>	<u>\$ 10,475,813</u>	<u>\$ 11,141,763</u>	<u>\$ 10,520,152</u>
<u>Fund Equity</u>					
Restricted	5,160,240	5,483,092	6,033,902	6,595,314	7,167,329
Committed	470,608	0	0	0	0
Assigned	361,035	784,891	1,368,595	1,603,609	1,400,001
Unassigned (2)	8,276,920	7,118,096	5,825,529	1,959,548	2,682,155
Total Fund Equity	<u>14,268,803</u>	<u>13,386,079</u>	<u>13,228,026</u>	<u>10,158,471</u>	<u>11,249,485</u>
Total Liabilities and Fund Equity	<u>\$ 25,351,476</u>	<u>\$ 24,021,169</u>	<u>\$ 23,703,839</u>	<u>\$ 21,300,234</u>	<u>\$ 21,769,637</u>

(1) Excerpts from audited financial statements.

(2) Includes Stabilization Fund balance beginning in fiscal 2011.

**TOWN OF CANTON  
MASSACHUSETTS**  
**Combined Statements of Revenues, Expenditures and Changes in Fund Balance (1)**  
**General Fund for the Fiscal Year Ending June 30**  
**(000 omitted)**

<b><u>Revenues</u></b>	<b><u>2013</u></b>	<b><u>2012</u></b>	<b><u>2011</u></b>	<b><u>2010</u></b>	<b><u>2009</u></b>
Property Taxes	\$ 59,064	\$ 56,247	\$ 55,346	\$ 52,217	\$ 49,516
Payments in Lieu of Taxes	224	219	199	199	195
Tax Liens Redeemed	220	372	225	194	187
Excise Taxes	3,474	3,165	3,290	3,080	3,516
Penalties and Interest	324	264	306	317	247
Departmental and other	789	485	501	1,068	490
Licenses and Permits	1,044	912	646	659	453
Intergovernmental - State	16,482	15,228	14,884	14,315	14,428
Fines and Forfeitures	110	99	145	124	150
Earnings on Investments	82	122	145	126	323
Hotel and Meals Taxes	461	38	0	0	0
MSBA Capital Grant	0	0	0	0	7,167
<b>Total Revenues</b>	<b>\$ 82,274</b>	<b>\$ 77,151</b>	<b>\$ 75,687</b>	<b>\$ 72,299</b>	<b>\$ 76,672</b>
<b><u>Expenditures</u></b>					
General Government	\$ 3,589	\$ 3,464	\$ 3,447	\$ 3,819	\$ 3,409
Public Safety	9,438	8,887	8,903	8,616	8,447
Education	33,426	32,222	31,750	30,333	29,148
Public Works	4,308	3,790	4,208	4,064	4,273
Human Services	770	782	699	655	630
Culture and Recreation	1,513	1,465	1,477	1,382	1,402
Pension Benefits	11,733	11,325	11,105	10,483	9,902
Employee Benefits	10,226	10,304	9,973	9,108	8,482
State and County Charges	960	875	849	933	925
Debt Service	6,063	5,966	5,870	5,903	5,940
<b>Total Expenditures</b>	<b>82,026</b>	<b>79,080</b>	<b>78,281</b>	<b>75,296</b>	<b>72,558</b>
Excess (Deficiency) of Revenues Over Expenditures	248	(1,929)	(2,594)	(2,997)	4,114
Other Financing Sources (Uses)					
Premium from Issuance of Debt	101	56	34	9	27
Operating Transfers - In	2,260	2,380	2,630	2,158	2,111
Operating Transfers - Out	(1,726)	(349)	(235)	(261)	(542)
<b>Total Other Financing Sources (Uses)</b>	<b>635</b>	<b>2,087</b>	<b>2,429</b>	<b>1,906</b>	<b>1,596</b>
Excess (Deficiency) of Revenues and Other Financing Sources (Uses) Over Expenditures	883	158	(165)	(1,091)	5,710
Fund Balance - Beginning (2)	13,386	13,228	13,393	11,249	5,539
<b>Fund Balance - Ending</b>	<b>\$ 14,269</b>	<b>\$ 13,386</b>	<b>\$ 13,228</b>	<b>\$ 10,158</b>	<b>\$ 11,249</b>

(1) Excerpts from audited financial statements.

(2) Restated to include Stabilization Fund balance.

**TOWN OF CANTON, MASSACHUSETTS  
REPORT OF CASH ACTIVITY AND BALANCES  
FOR THE YEAR ENDED JUNE 30, 2013**

TRUST FUNDS	7/1/12 BALANCE	INCREASE (DECREASE)	INTEREST	6/30/13 BALANCE
Balsamo Scholarship Fund	31,810.52	(4,907.78)	63.86	26,966.60
Bicentennial Fund	4,522.39	15.52	1.28	4,539.19
C.T. Downes Lib Fund	22,375.59	74.23	6.28	22,456.10
Cemetery P.C. Fund	396,287.79	(6,750.00)	21,238.96	410,776.75
Conservation Escrow	77,656.44	(77,656.44)	0.00	0.00
Conservation Land Fund	137,991.27	(1,286.82)	7,446.33	144,150.78
Dean Luce Scholarship Fund	26,710.14	(956.90)	1,470.57	27,223.81
Dental Trust Fund	208,092.58	276,392.83	11,229.16	495,714.57
Detective Fund	8,402.62	0.00	0.00	8,402.62
Dorothy DeLena Lib Fund	4.89	(4.89)	0.00	0.00
Drug Forfeiture Acct	37,470.49	974,241.76	10.51	1,011,722.76
E. Bolster Library Trust	69,920.65	(9,461.05)	99.77	60,559.37
E.C. Harding Lib Fund	2,431.85	8.35	0.67	2,440.87
E. Kenealy Memorial Tr	3,290.73	166.84	4.69	3,462.26
Federico Memorial Fund	7,737.40	24.61	17.07	7,779.08
G.E. Downes Lib Fund	19,338.35	72.57	1,058.73	20,469.65
Guarantee (Special) Deposits	74,510.31	(74,510.31)	0.00	0.00
Health Claims Trust Fund	2,250,624.64	267,981.11	4,520.42	2,523,126.17
Helen Martis Scholarship Fund	14,358.70	(9,907.87)	774.84	5,225.67
High School Scholarship Fund	16,439.03	(341.91)	889.14	16,986.26
Jack Galvin Lib Fund	8,899.61	(5,845.42)	2.49	3,056.68
Joanna A Connors Fund	4,782.37	99.70	1.33	4,883.40
Kendall Recreation Fund	1,080.78	3.71	0.32	1,084.81
Kennedy Scholarship Fund	11,165.38	(963.01)	614.58	10,816.95
M Badoian School Fund	13,067.48	(8,233.46)	3.64	4,837.66
McLeod Fieldhouse Fund	2,463.37	8.47	3.53	2,475.37
Municipal Bldg. Ins. Fund	443,661.55	(1,057.58)	24,249.36	466,853.33
OPEB	0.00	150,000.00	5,066.07	155,066.07
Planning Fees Escrow	11,563.54	(11,563.54)	0.00	0.00
Post War Rehab Fund	149.25	(149.29)	0.04	0.00
Retirement Buyback Trust	326,874.09	(205,402.14)	17,896.78	139,368.73
Scholar Dollar Fund	55,445.47	(14,850.92)	2,998.89	43,593.44
Second Century Library Tr	58,039.55	(8,490.23)	125.76	49,675.08
Senior Center	0.00	2,357.66	0.00	2,357.66
Shaler Charity Fund	24,113.01	(11,486.08)	6.76	12,633.69
Stabilization Fund	4,210,832.00	(42,241.18)	12,724.50	4,181,315.32
Stabilization Fund	0.00	400,000.00	0.00	400,000.00
Teen Activity Center	2,895.80	9.94	0.83	2,906.57
Unemployment Comp Trust	312,138.88	(273,337.61)	16,843.78	55,645.05
Van Schagen Library Trust	5,746.67	20.82	310.11	6,077.60
Workers' Comp Trust	33,889.60	(3,238.36)	1,863.61	32,514.85
Total Trust Funds	8,936,784.78	1,298,835.33	131,544.66	10,367,164.77

**TOWN OF CANTON, MASSACHUSETTS  
LONG TERM DEBT AS OF JUNE 30, 2013**

DATE ISSUED	INTEREST RATE	7/1/12 PRINCIPAL BALANCE	NEW BOND ISSUE	PRINCIPAL PAYMENTS	6/30/13 PRINCIPAL BALANCE	INTEREST PAID IN FY 2013
3/15/04	2.00% to 5.00%	25,140,000		2,540,000	22,600,000	1,055,554
1/15/06	3.75% to 5.00%	6,145,000		630,000	5,515,000	255,865
1/15/08	3.50% to 4.00%	2,350,000		300,000	2,050,000	85,151
3/15/08	2.50% to 4.00%	685,000		150,000	535,000	25,911
5/15/09	2.00% to 4.00%	4,665,000		450,000	4,215,000	151,311
5/15/10	2.00% to 3.55%	5,060,000		345,000	4,715,000	158,776
7/8/10	2.00%	3,591,844		156,959	3,434,885	75,537
11/15/10	0%	369,000		41,000	328,000	0
5/1/11	2.00% to 4.25%	12,020,000		1,210,000	10,810,000	390,570
3/27/12	2.00% to 4.00%	8,732,908		482,908	8,250,000	243,187
5/10/12	0	500,000		50,000	450,000	0
3/15/13	2.00% to 4.00%	0	6,041,959	0	6,041,959	0
Totals		<u>69,258,752</u>	<u>6,041,959</u>	<u>6,355,867</u>	<u>68,944,844</u>	<u>2,441,862</u>

## EMERGENCY MANAGEMENT AGENCY



Business: (781) 575-6654

Fax: (781) 821-6591

**Charles E. Doody**

Emergency Management Director

Email: [cdoody@town.canton.ma.us](mailto:cdoody@town.canton.ma.us)

**Colonel, AUS Frank LaBollita (ret.)**

Deputy Director of Plans,  
Operations and Training

**Chief James A. Fitzpatrick (ret.)**

Deputy Director of Logistics  
& Damage Assessment

In 2013, the Canton Emergency Management Agency was awarded an Emergency Management Planning Grant in the amount of \$4,530.00 to implement a home safety inspection program. Fifty emergency disaster kits were delivered to homes in Canton who signed up for the free inspection.

Representatives from the Massachusetts Emergency Management Agency made a presentation to the EMA on emergency shelter operation. The Emergency Management Agency and the Medical Reserve Corps have planned joint training on local shelter operations to be conducted by the Red Cross.

The Emergency Management Agency was sorry to accept the resignation of long time member Marian Pendergast who served as the Shelter Coordinator. We would like to thank Marian for her dedicated service to the people of Canton.

The Emergency Management Agency is made up of the following volunteers:

David Bogosian  
John Connolly  
James Connors  
Paul Couture  
Barry Devine  
Janet Donnelly  
Jim Fitzpatrick  
Lou Harris  
Ed Lehan  
Betty Lethin  
Frank Labolita

Chief Ken Berkowitz  
Dr. Richard Levrault  
Torey Pate  
Marian Pendergast  
Sandy Puleo  
Edward Mulvey  
Maureen Mulvey  
Janet Pratt  
Donna Scott  
William Sweeney

I would like to thank the members of the Emergency Management Agency for their dedication to ensuring the safety of the residents of Canton and for their continuing efforts to improve Canton's capacity to respond to town wide emergencies.

Respectfully Submitted,

*Charles E. Doody*

Fire Chief/EMD

## **FIRE DEPARTMENT**

Charles E. Doody  
Chief of Department  
[cdoody@town.canton.ma.us](mailto:cdoody@town.canton.ma.us)

Scott Johnson  
Deputy Chief  
[sjohnson@town.canton.ma.us](mailto:sjohnson@town.canton.ma.us)

99 REVERE STREET, CANTON, MA 02021

Business: 781-821-5095

FAX: 781-821-0956

Fire Administration Hours – Monday-Friday, 8:00 AM – 5:00 PM

### **Annual Report – Canton Fire Department – 2013**

On behalf of the Canton Fire Department, it is my pleasure to submit the 2013 Annual Report to the Town of Canton.

*Our Mission is to protect the lives and property of the citizens of Canton by providing the highest possible level of service through fire prevention, public education, fire suppression, emergency medical services and mitigation of the effects of manmade and natural disasters.*

#### **Retirements, New Hires**

Lt. Rodney Cleveland retired from the Canton Fire Department after 36 years of dedicated service to the Town. In addition to being the senior Lieutenant, Rodney served as the Supervisor of Fire Alarms for the Department. We wish him good health and happiness in his retirement.

We are pleased to announce the hiring of Firefighter/ Paramedics Keith Flavin and Michael Matthews. Both young men grew up in Canton and attended Blue Hills Regional Technical High School. We congratulate on their achievement and welcome them to the Department

#### **Operations**

The Canton Fire Department extinguished 22 fires of various types including house fires, commercial building fires, brush fires and car fires. There were Civilian injuries or deaths resulting from fire in 2013. The department responded to a total 4,100 emergency and public service calls in 2013. Approximately 2,600 of those responses were for emergency medical services. Canton responded to numerous mutual aid requests to assist our neighboring communities with fire suppression and medical emergencies.

#### **Training**

The Canton Fire Department training division promotes safety awareness and firefighting best practices to the members of the department. The training captain organizes training sessions based on current safety standards, best practices literature and department needs. Training records are kept up to date for all members. The



training division provides personal protective equipment to and maintains that equipment for the firefighters.

In 2013 there were 126 documented training sessions at the department. These classes and drills were taught by the training captain, the EMS coordinator, department officers, firefighters and outside experts. Topics included: Equipment use, skills maintenance, rescue techniques, emergency medical services, vehicle operations, dispatch procedures, preplan tours of Canton buildings and training sessions at building scheduled for demolition. Two new members were hired in 2013. They were provided with two weeks of orientation training, new gear and admission to the Massachusetts Firefighting Academy.

### **Fire Prevention**

The Fire Prevention Division, overseen by Deputy Scott Johnson remained active in 2013. The Division underwent a personnel change with Lt. Brian Marshall moving to a company officer role on Engine 2 out of the Ponkapoag Station. Firefighter Donald Lester was promoted to Acting Lieutenant and replaced Lt. Marshall in Fire Prevention. The Division continued to be active in maintaining and enforcing life safety and fire codes. 1380 permits were issued in 2013, generating \$48,000 in fees for the Town of Canton. There was continued growth in commercial projects and large residential projects, like The Avalon apartment development on Randolph Street adding 5 large multi-story buildings in addition to several townhouse style buildings. We also were involved in inspection and providing life safety for many festivals this year such as the Regional Cross Fit Games at Reebok, Life is Good and the Avon Walk for Breast Cancer.

Acting Lt. Donald Lester, initiated several programs in 2013 including a free carbon monoxide detector installation program and a free home life safety inspection program.

**Emergency Medical Services:** The Emergency Medical Services Division conducted ongoing continuous education training to all of our first response personnel and developed a continuous quality assurance program to assure the highest quality of patient care. Our Ambulances responded to 2184 medical related calls, including 146 mutual aid calls to our surrounding communities for which we transported 1745 patients and collected \$807,991.63 for those services. We performed regular inspections and maintenance on the 15 Automatic External Defibrillators (AED's) located in all public buildings including the town hall, recreation facilities, senior center, library, police station and all public schools and began a community hands-only CPR program free of charge to Canton residents.

### **Fire Safety Education**

Firefighter/Paramedic Gregory Woodbury continued to strengthen the Fire Safety Education Program by applying for and receiving a fire safety education grant in the amount of \$4,600. FF Woodbury conducted fire safety classes for grade 3 in all of

the elementary schools, held an Open House during Fire Prevention Week in October, scheduled many demonstrations for preschool age children and instructed Blue Hills Regional freshman students about life safety topics and introduced them to the requirements necessary to become a firefighter in Canton. We would like to thank Superintendents Jeff Granatino and James Quaglia for supporting the program and providing the opportunity to educate our students about fire and life safety.

We also wish to thank the Elizabeth Simoni Foundation, the Canton Association of Business and Industry and Pulse Systems for their continued support of the department, helping us to purchase needed safety equipment that the operating budget cannot accommodate. In addition we would like to thank the Canton Police Department, Building Department, the Board of Health and Department of Public Works for their cooperation and assistance in providing for the safety of our residents. Public safety is truly a team effort in the Town of Canton.

### **Equipment**

Funded from the capital planning budget, the department began the upgrade of the town's municipal fire alarm system by converting the older low voltage fire alarm reporting systems to new radio master box technology. In addition, the department took delivery of a 2013 Ford Explorer will function as the Deputy Fire Chief's vehicle. Finally, a new E-One Ladder truck was specified and ordered to replace our current Ladder 2 at the Ponkapoag Station. We expect delivery of the new truck in late spring of 2014.

Respectfully Submitted,

*Charles E. Doody*

Chief of the Department

## **BOARD OF HEALTH**

**Located at Pequitside Farm**

**79 Pleasant Street**

**Canton, MA 02021**

**Telephone: (781) 821-5021**

**Fax: (781) 821-0337**

<http://www.town.canton.ma.us/health/health.htm>

Dr. Richard Levrault, Chairman

Robert P. Schneiders, Vice Chairman

Dr. Julie E. Goodman, Clerk

Director of Public Health and Medical Reserve Corps Director: John L. Ciccotelli,  
R.S., C.H.O.

Administrative Assistant/P.T. Food Inspector: Diane J. White

Public Health Nurses: Terri Khoury, R.N., Jane Pratt, R.N.

Health Agent/Sanitarians: Timothy Marble, R.S.

Recording Secretary: Karen D. Murphy

Animal Inspector: Kevin Brophy

Senior Citizen Assistants: Dorothy Hennessey, Robert Lyons, Deborah Tyler, Elaine Benson

***Hours of Operation: Monday – Friday, 8:00 AM to 4:00 PM***

\* \* \* \* \*

Public health is the promotion of health and the prevention of sickness. This is the task of the Canton Board of Health as it relates to the residents of the Town of Canton. To accomplish this, the Board operates programs of inspection and enforcement of Federal, State, and local public health statutes, regulations, and policies. Additionally, the Board of Health plans, promotes, prepares and trains in all-hazards emergency preparedness to protect the Town in the event of disease outbreaks or epidemics, as well as natural or man-made disasters.

In May 2013, the Board of Health reorganized its officers and voted to appoint Board member, Dr. Richard Levrault, MD, to serve as Chairman, Robert P. Schneiders to serve as Vice Chairman, and Dr. Julie E. Goodman, PhD, to serve as Clerk.

Director of Public Health, John L. Ciccotelli, assisted by Health Agents Timothy Marble, Diane White, and Jane Pratt, RN conducted or responded to investigations, inspections, re-inspections, enforcement actions, and follow-ups to complaints or violations of the various provisions in the State Sanitary Code or the State Food Code.

The list of investigations and inspections conducted in 2013 includes:

- Food = 307 inspections or investigations including, but is not limited to restaurants and other food service establishments, retail food stores, caterers, and function hall kitchens
- Title 5 = 64 inspections or investigations including septic system installation inspections along with witnessing soil and percolation tests, septic system plan reviews and approvals for septic repairs and new septic systems, as well as the review of State mandated Title 5 Septic System Inspections
- Public and semi-public swimming pools = 29
- Nuisances = 52
- Septage hauler or haul offal truck inspections = 8
- Housing and State Sanitary Code, Chapter II Inspections = 136
- Mobile vendors or “canteen” trucks = 9
- Ice skating rinks = 4
- Children’s camps = 18
- Tanning salons = 8
- Health Club Inspections = 16
- Miscellaneous complaints = 29

As provided under Massachusetts statutes, the Director of Public Health, John L. Ciccotelli, R.S., C.H.O. represents the Board of Health in its enforcement authority to bring violators into compliance in issues related to public nuisances, housing, food protection, and health and safety pursuant to all relevant Federal, State and local regulations and statutes. The Board of Health, through the Director, oversees compliance with all State regulations and local Board of Health Regulations affecting, food, camps, pools, housing, trash, nuisances and onsite sub-surface sewage disposal systems. In total, the Board issued 647 permits encompassing all phases of the Boards’ permitting responsibilities. Additionally, John Ciccotelli reviews proposed Title 5 onsite sewage disposal system plans and septic system reports, and food service establishment plans for compliance with applicable local, State and Federal laws and regulations, and reviewed applications for any newly submitted permit requests to be issued by the Board of Health.

The Board of Health’s 26<sup>th</sup> Annual Health Fair as well as the 5<sup>th</sup> Annual Summer Sun and Safety Fair for children and parents was a well-planned event by Public Health Nurse, Terri Khoury, who brought together Town departments, volunteers and community businesses to present these annual educational events to both adults and children of the Town of Canton.

As in past years, 2013 was a relatively average year for cases of seasonal influenza. The Board of Health vaccinated residents over the age of 6 at the Annual Health Fair, various clinics and homebound residents. We were able to provide an abundance of flu vaccine, purchased by funds from the Board of Health’s revolving fund as well as a moderate supply of vaccine doses having been provided by the

Massachusetts Department of Public Health (MDPH). Additionally, 36 exhibitors provided health related educational materials, and demonstrated their health related services and merchandise. The 26<sup>th</sup> Annual Health Fair attracted residents of all ages. Various screenings, vaccinations and other health services and educational material was made available to anyone who was interested. Terri Khoury also organized the Annual Summer Safety Fair which was held in June 2013 and was enjoyed by over 500 Canton residents, mostly families with young children. Displays included demonstrations from the Town's Fire and Police Departments including bike safety and a helmet giveaway, fire safety, importance of sunscreen, and various Town Department presentations and displays. The Masonic Youth Childhood Identity Program (MY CHIP), which is a regular staple of this event, was conducted sponsored by the Canton Police Department and conducted by members of the Blue Hill Lodge, A.F. & A.M. from Canton, creating and distributing emergency identification kits to parents of young children who participated.

Public Health Nurse, Jane Pratt, with the help and cooperation from the Canton Police Department and local teen volunteers, conducted surprise compliance inspections at Canton establishments selling tobacco.

Ms. Pratt conducted over 120 random compliance checks of these establishments as well as businesses that have employees where smoking is prohibited by State law. Consequently, Canton has managed to maintain its below average rate of minors who illegally purchase tobacco related products in the Town as well as non-compliance with worker safety and tobacco control laws. In 2013, as in the previous 4 years, no cases of non-compliance with the tobacco control laws prohibiting sales to minors were found, indicating continued success of the Board of Health's tobacco control efforts.

After several public hearings and discussion with Canton citizens and businesses, as well as individuals from other municipalities from New England, the Board of Health, as authorized by the State, promulgated a revised regulation which now prohibits the sale of tobacco or nicotine products to anyone under the age of 21 years. Formerly, this regulation prohibited tobacco sales to minors under the age of 18. These revisions in the regulation were based in part on the Board of Health's belief that by raising the purchasing age to 21, the availability of tobacco and nicotine products would be reduced for children in an age group that has been demonstrated to be the most vulnerable to becoming addicted to products containing nicotine. Additionally, the sale of electronic cigarettes, so called, are now to be treated the same as tobacco products and thus are prohibited for sale to anyone under 21 years of age. Most other tobacco or nicotine products that are not medically prescribed are now banned. Lastly, the regulation requires that annually for the first 5 years following the promulgation of this regulation, a risk survey to determine the efficacy of the new provisions in this regulation will be conducted in Middle School and High School. The results of the survey will be statistically tallied and compared over a 5-year period to determine how successful the changes were in this cutting edge regulation.

Nursing staff members provided Canton Citizens the following services in 2013:

- Vitamin B-12 injections = 198
- Combined home/office visits = 608
- Annual Influenza Vaccinations = 1223 (1043 Adults and 180 Children)
- Blood Pressure Clinics: Clients served = 1342
- Sun safety instruction at Town Pool
- Mosquito safety instruction during 4th of July celebrations
- Health educational series with senior students at Blue Hills Regional High School
- Veterans Clinics = 12
- State mandated sharps (biohazard needle) drop off and collection
- All children's camps in Canton inspected by the Nurses and Health Agents
- Employee health screenings
- Cable 8 Health Series
- A nursing student mentor

The Town's Animal Inspector, Kevin Brophy, investigated all potential cases of rabies exposure from animal bites and scratches, and other rabies concerns. When quarantine is required, he ensures animals are humanely placed in appropriate settings and maintains the proscribed level and length of isolation required under MDPH policies and guidelines. The Animal Inspector is nominated by the Canton Board of Health and is appointed to that position by the Massachusetts Department of Food and Agriculture (DFA).

Dr. Paul Andreani worked as the animal medical consultant for the Board and with the Town's Animal Inspector to ensure all State DFA (Department of Food and Agriculture) requirements are met. With the popularity of pets in homes, the Board of Health realizes that the risk of disease from pets to family members is directly linked to the health of these animals and, therefore, takes the appropriate steps in all known cases of zoonoses (animal diseases that can be contracted by humans).

## **CONTINUING INITIATIVES:**

Unlike the previous year in the Canton area, populations of human-biting mosquitoes infected with Eastern Equine Encephalitis (EEE) and West Nile Virus (WNV), two dangerous diseases spread by infected mosquitoes, remained at a "normal" level which was partly the result of intense larvicide and insecticide applications by the Norfolk County Mosquito Control Project using aircraft and ultra-low volume (ULV) insecticide ground spraying was increased drastically in response to the increase in infected mosquitoes. These 2 arboviral epizootics continue to be monitored by the Board of Health, the Norfolk County Mosquito Control Program, and the Massachusetts Department of Public Health.

The Board of Health continues to publish its public health webpage with relevant up-to-date recall information and public health notices at <http://www.town.canton.ma.us/health/health.htm>. Several new public health-related links were added to the web site this year.

Director of Public Health, John Ciccotelli, continues to maintain and update the Town's Emergency Dispensing Site and all Hazards Preparedness Plan. The Plan is annually evaluated by the State under its Technical Assistance Review (TAR) initiative. The Plan enables the Board of Health, with the assistance of the Canton Medical Reserve Corps (CMRC), and other agencies, to distribute needed medications or vaccinations from the Strategic National Stockpile (SNS), to the entire population of Canton within 48 hours in the event of a catastrophic epidemic, and/or to provide emergency shelter with a non-acute care medical capacity to the public if needed and respond to any other mass biological or medical emergency if necessary.

The CMRC as part of the NC-7 MRC (Norfolk County-7 Medical Reserve Corps) is also prepared to care for any part of the 7-town community of which it is composed that might require emergency shelter or other necessary accommodations during a disaster or other emergency event.

The Canton Medical Reserve Corps (CMRC), a Division of the NC-7 MRC, is part of the subregional Medical Reserve Corps which consists of a total of seven surrounding towns: Canton, Dedham, Needham, Norwood, Milton, Wellesley, and Westwood. It remains a vital resource of both medical and non-medical volunteers whose purpose is to respond to large-scale biomedical emergencies or pandemics. The CMRC, through the NC-7 MRC, maintains its affiliation with the US Surgeon General's Office. Funding for the CMRC is entirely through State, Federal and private institutional grants and does not require financial support from Canton taxpayers. New volunteers are needed and always welcome.

The Board of Health would like to express its appreciation to the staff and all volunteers for their generosity of time and hard work in order to help keep Canton a healthy community.

As always, the Board of Health is pleased and privileged to serve the Town of Canton and its citizens.

Respectfully submitted,

Dr. Richard Levrault, Chairman  
Robert P. Schneiders, Vice Chairman  
Dr. Julie E. Goodman, Clerk

## **HISTORICAL COMMISSION**

**801 Washington Street  
Canton, MA 02021  
Telephone – 781-828-0073**

Wallace Gibbs – Chairman  
Michael Nourse – member  
George Comeau – member  
Paul Mitcheroney – member  
Susan Gibbs – alternate

James Fitzpatrick – vice chairman  
Kathleen Keith – member  
John Burke – member  
Sepp Bergschneider – alternate

The Commission is responsible for the identification and recording the historic assets within the town. In addition it is responsible for the development and implementing of a Historic Preservation Plan. Inventories of historic sites and buildings are an ongoing project with over 400 completed.

The Commission continues to administrate the towns Demolition Delay By-law, working with town residents and developers to preserve historic properties.

One of the town's historic assets is Canton's Corner Cemetery; the town has not been able to protect the headstones of the founding town families like the Revere's, Billing's, Draper's, Morse's, and Endicott's. These and others are being destroyed by weather and vandals. A partial survey has been done of the oldest section of the Canton Corner Cemetery (1200 headstones) by an independent preservation firm specializing in preservation of historic burying grounds and cemeteries. The survey identified over 86 stones that needed attention. Many of these stones are already broken into multiple pieces. Fifteen of the 86 stones are in imminent danger of breaking. A retaining wall was recommended to be built to prevent headstones and remains from ground erosion sliding down hill. The estimated cost of repair and preservation of the 1200 headstones surveyed is between \$50,000 and \$70,000.

The Canton Corner gravestone preservation project: Washing a selection of colonial gravestones has improved the overall appearance of the cemetery. Some of the earliest slate stones had undisturbed lichen that can actually leave a permanent shadow on the face of the stone. The colonial period gravestones are among the most photographed in the cemetery. The grave headstone cleaning project was held on the weekend of June 29 and 30<sup>th</sup>.

Alicia Paresi of Paresi Preservation Consulting trained and oversaw the work of all the volunteers that answered the towns call for help with this most necessary preservation project.



From Boy Scout Troop 77-

Charles McNamara, Chuck McNamara, Brendan McManus, Ben Cohen, Josh Cohen, Jonathan Cohen, Dave Williams, Susan Williams, Aidan Lee, Cole Murphy, Robert Priest, Courtney Priest, James Peplau, and John Peplau.

Other volunteers-

Elaine Dawson, Kathleen Keith, Susan Gibbs, Stephen Likos, Lillian Likos, Peg Keddy, David Emhardt, Mark Porter, John Jorgensen, Michael Trotta.

The Canton Historical Commission thanks all these volunteers who so willingly gave of their time for this project.

The Canton Historical Commission is extremely concerned about the loss and damage to the Canton Corner Cemetery. The Commission will continue working with Mr. Michael Trotta, Superintendent of Public works to protect and preserve the town of Canton's rich history.

Respectfully submitted,

Wallace Gibbs, Chairman

## **HOUSING AUTHORITY**

Board of the Canton Housing Authority

Chairman - Martin Dorian

Vice Chairman - William McDaid

Board Members - Jill Duggan, Glen Hannington,

John McSweeney

Executive Director - Mark Roy

660 Washington St

Canton, MA 02021

781-828-5144

[cantonhous@aol.com](mailto:cantonhous@aol.com)

Hours of Operation: 8:00AM to 4:00PM W 12:30PM to 4:00PM

The Canton Housing Authority reports the following activities for 2013.

The Housing Authority had a busy year with many capital improvement projects. Some of the projects that were completed this past year included: 1) window replacement during unit turnover at Hagan & Rubin Courts 2) replacement of failing exterior metal stairs at one of our family sites 3) replacement of over 100 toilets & showerheads (with low flow products) at all our elderly sites. 4) kitchen & bath rehab at the veteran's family units -- done in house to save thousands of dollars 5) emergency repair to underground pipes at a veteran's family unit 6) replacement of carbon monoxide detectors in all family units 7) replacement of three roofs at Hagan, which were not done when the others were replaced in 1996 8) replacement of one roof at Rubin -- all others will be done in the Spring. Other projects we hope to do in the next year include: continuing window replacement at Hagan & Rubin, continuing kitchen & bath rehab at the veteran's family units, concrete repair at Hagan & Hemenway, intercom system upgrade at Rubin, slider door replacement at Hemenway, bulkhead replacement at the veteran's family units, bathroom fan upgrade at Hagan and installation of ADA compliant doors at Hagan & Rubin's community rooms. There is over \$1 million in work needed.

We received \$10,000 in Health & Safety funds to do repairs to the roadway and sidewalks at Rubin Court. The DPW was extremely helpful in getting this project done. They also helped with tree work and water line problems. We appreciate all their assistance! Also, thanks go out to John Connolly, who secured funds to replace several benches at Hagan Court.

We have applied for CPA funds to replace the current battery operated smoke detector system with a hard wire system at the veteran's family housing, as well as replacement of their exterior electrical boxes. These two projects have not been funded by the State. They have been recommended by Fire Chief Doody.

We wish to thank Sheriff Michael Bellotti and his Community Outreach Program for their help over the past year. They helped with cleaning & painting of both elderly

and family units, as well as cleaning building hallways and community rooms. We look forward to working with them in the future.

Our maintenance staff – Peter, Mike, Jim and John – turned over 25 elderly units and 4 family units (all of which required complete rehab) this past year. We thank all the guys for their hard work, in particular John, who supervised the many capital projects. We also thank our Executive Director Mark, our administrative staff Brenda & Denise and our volunteers Ann & Nancy!

The Canton Housing Authority manages 202 units of elderly housing, 33 units of family housing, 12 units of barrier-free housing, 15 Massachusetts Rental Housing Vouchers, and we host 19 Section 8 Vouchers.

The wait for elderly Canton applicants is just a few months. The age requirement is 60. The wait for “non-elderly/ handicap” applicants is extremely long, even for Canton residents. Our family wait list is currently closed to standard applications. We will continue to accept emergency applications, and as a reminder, local residents are given a priority.

The Board holds its monthly meetings on the second Tuesday starting at 6:00pm at the Hemenway School.

We wish to express our continued appreciation to the Town (in particular the DPW), our staff and the residents for their support in our efforts to provide decent, safe, sanitary, and affordable housing within our community.

Respectfully submitted,  
Martin R. Dorian, Chairman  
CANTON HOUSING AUTHORITY

## **HUMAN RESOURCES DEPARTMENT**

Upper Memorial Hall  
801 Washington Street  
Canton, MA 02021

Tel: 781-821-2936 Fax: 781-575-6602

Jody K. Middleton, Human Resources Administrator  
Jmiddleton@town.canton.ma.us

Office Hours: Refer to Town's website, under Human Resources

The Human Resources Department continues to strengthen the partnership with all town and school employees. We hold office hours at Memorial Hall, and visit each school once a month. This provides a consistent presence for both the town and school employees and shows our commitment in strengthening our relationships. This schedule has been very well received and we have seen an increase in communication by all departments.

The Human Resources Department will continue to provide compliance with the Town of Canton's personnel policies, procedures, regulations, legal obligation, and contractual obligation; We oversee personnel actions of all town departments, participates in labor negotiations, manages classifications and compensation plans.

In 2014 the Human Resources Department will focus its attention on department training and employee development. We will continue to provide support to departments and employees regarding leave administration, the workers compensation program and recruiting including advertising, interviewing, hiring, advising, pre-employment requirements and benefits orientation to eligible town and school employees. We are hoping to further enhance the HR Webpage on the Town's website to be more informative. The HR dept. provides benefit administration services to over 645 school and municipal employees and to over 430 retirees.

As Human Resources Administrator, I am grateful for all the support from the municipal and school employees and want to say thank you to them for continuing to make the Human Resources Department a successful partner.

The Human Resources Website is a great resource for benefits information, job posting, updated announcements and open enrollment material. Visit us at:  
<http://www.town.canton.ma.us/hrdept/hr.htm>

Respectfully submitted,

Jody K. Middleton  
Human Resource Administrator

## **PUBLIC LIBRARY**

### **PUBLIC LIBRARY**

Dorothy Shea, Chair  
Joyce Wiseman, Vice-Chair  
Peg Mead, Secretary  
Sue Cogliano  
George T. Comeau  
Kathy Fox-Alfano  
Beth Magann  
Emily Prigot  
Joan Schottenfeld

786 Washington St.  
Canton, MA 02021  
Telephone: 781-821-5027  
email: [calib@ocln.org](mailto:calib@ocln.org)  
Mark Lague, Library Director  
director: [mlague@ocln.org](mailto:mlague@ocln.org)  
Hours of Service: Tue-Thu 10:00-9:00,  
Fri-Sat 10:00-5:30, Closed Sun  
(Children's Library Closed Tues 5:30pm)

Library Trustees Kathy Fox-Alfano and Peg Mead were reelected. Emily Prigot was elected to the seat previously held by Betty Chelmow who chose not to run for a 13th term. A large gathering attended a reception in honor of Betty's 36 years of service to the Library and in particular to Betty's inestimable contributions to the Library Building Project. The Board elected officers in May: Dorothy Shea, Chair; Joyce Wiseman, Vice-Chair; Peg Mead, Secretary; and Kathy Fox-Alfano Friends' Liaison.

A number of personnel changes occurred. Dave Farrow announced his retirement after thirty years of dedicated service to keeping the Library safe and well maintained. Robert Parr took over as Day Custodian. Carolyn Elkort was promoted to Community Outreach Librarian, a newly created professional position. Rosie Moore was promoted to Young Adult Librarian, and Debra Sundin was newly appointed to take over as Library Associate in the Children's Library. A familiar face at the adult circulation desk, Mary Owens retired after ten years serving the interests of Canton readers. Bonnie Jette was hired to head up the circulation department in December. Human Resources Director Jodi Middleton was indispensable to the smooth recruitment and transition of these positions.

The Library met the minimum State Certification Standards, earning \$17,948 in State Aid. Library revolving funds earned a net \$17,250 from passport fees and \$17,519 in extended loan fees. In addition to operating budget expenditures the library expended \$5,529 from trust funds and \$8,010 in donations from the Friends of the Library and individual donors. The Board developed policies on Conduct in the Library and Emergency Procedures.

The Library was reauthorized as a Passport Acceptance Facility with Lisa Quinn, Carolyn Elkort, and Mark Lague completing recertification training. 762 passport applications were processed for the year. Director Lague was re-elected Treasurer of Old Colony Library Network (OCLN), and chair of the Planning & Budget Committee, and served on the Committee on Innovation. Lisa Quinn served on OCLN's New System Evaluation Committee and Patty Ryburn participated on the

Digitization Task Force. Lisa Quinn and Patty Ryburn completed a two-week on-line course in Genealogy. Carolyn Elkort spoke to the Lamplighters Association about services offered at the Library, and Director Lague spoke to the Canton Senior Women's Club about the Future of the Book.

Although the number of residents with active library cards increased slightly, for the first time in memory, the Library loaned 4.1% fewer adult items than last year. There was a much smaller decrease in the number of children's materials loaned. The popularity of eBooks appears to be the main cause. Although eBook circulation increased by 35% over last year, eBook loans represents only 1.5% of total loaning activity due to the size of the collection and the conditions imposed by publishers on the lending of eBooks. In response to these challenges, the library joined a pilot project supported by the Massachusetts Library System to provide a state-wide resource for eBook lending through libraries. This will extend our purchasing leverage in order to obtain a broader range of eBooks and other digital content currently available through Overdrive distribution platform. Through the Old Colony Network (OCLN) we obtained Zinio, a source for digital magazines that may be downloaded to almost any device. For those who prefer physical books, the Library offered "Blind Date with a Book" for the joy of novel reading experiences.

Our public computers were used by an average of 447 users per week. Wireless printing from personal laptops was enabled, as well as a dedicated scanning workstation. The Canton Historical Wiki continues to grow through the volunteer commitment of archivist John Healey. The Wiki benefitted also from the work of a library school intern. We added Valueline and Ancestry.com to our on-line offerings.

Adult program events were offered including many local authors who spoke on a broad range of topics. "Friends with Books" continued its monthly discussions into its 15<sup>th</sup> year. The Film & Discussion Program showcased Oscar nominees to Indie films. We invited the community to join the "One Town One Book" program in reading The Immortal Life of Henrietta Lacks. The Friends organized wide distribution of the title by participating in World Book Night. A panel discussion by medical scientists explored the ethical issues raised in the book with an audience of over 90 people. 241 programs for adults drew 2,552 in attendance.

The Children's Librarians hosted library tours for kindergartens and preschools. Ann Woodman visited first grades and daycares throughout the community. Children's Library ran morning, afternoon and bedtime story-times, family movies, and crafts. The popular Barn Babies petting zoo returned. Ed the Wizard amazed with magic. Kids enjoyed free Keyogi Yoga from a certified instructor. Self-Help Inc provided learning through play activities for preschoolers. Partnership for Children provided lively programs in historical theater, music, crafts, and a book club. Along with Junior Library staff, Mary Jane Mangan again organized volunteers for the "Princess Sleepover" and "A Knight to Remember" parties. Thanks to CPD officer Ken Drynan, Jake the reading therapy dog returns each month

to lend an ear to eager young readers. The Summer Reading program "Dig into Reading" had 220 participants who read a total of 3877 books. A total of 3004 participated in 132 children's programs.

Programs for teens included a Book Club, a Fantasy Art Workshop, and Pie Baking. With the help of volunteer student monitors and gaming equipment subsidized by the Friends, GameOn@theLibrary continued as a popular after-school activity. 158 young adults participated in 17 programs.

The Friends of the Library continued its indispensable support of the Library. At their Annual Meeting in April, The Friends elected new officers as follows: President: Mike Sundin, Vice President: Linda Berman, Co-Treasurers: Sylvia Cormier/Dawn Capraro, Secretary: Pam Cattell, Publicity: Emily Prigot, Membership: Mary Jane Mangan, Booksales: Kathy Fox-Alfano/Renate Clasby/Anne Goetze, Hospitality: Lori Fanara. The Friends underwrote the museum discount passes, online reservation and events calendars, a public performance film license, among other items. Book sales were held in the fall and spring. The "Books and Brew" author presentation and craft brew sampling was a popular offering. The Friends and Trustees hosted an Honors Breakfast to thank our many volunteers for their service. "Friends with Books" still meets on the last Thursday of each month. The Open Book Coffeehouse, now in its eighth year under Friend of the Library Emily Prigot, held eleven performances for over 600 people. Canton Writes, the 4<sup>th</sup> annual town-wide all-ages, writing contest drew 85 contestants. Tara Shuman offered a series of writing workshops. Joan LaFontaine hosts a Poetry Circle which meets every third Thursday afternoon of the month.

Along with town committees and commissions, the many community groups used the Library for their program activities including the Canton Art Association, Garden Club, Historical Society, AAUW, MSPCC, Scouts, Mom's Club, and Senior Men's Club. Meeting rooms were rented to commercial, non-profit, and private groups, earning \$5,495 that helped to subsidize maintenance and programming expenses. The Library posted the events and messages of town departments and non-profits daily on the Community Message Board.

Our "new" library is beginning to show its age. Repairs were needed to the HVAC system, roof drains, building damage from storms, lavatory doors, door locks, and electrical faults. Our two Custodians work hard to maintain a safe, clean, and functioning building and grounds.

We thank the many volunteer staff and senior tax program workers who perform many timely tasks that help keep the Library open and running smoothly. Fifty individuals recorded 3566 hours of service. We are grateful for an excellent library staff dedicated to serving Canton, and for the collaborative spirit of all town departments.

We thank the Friends of the Library for their sustained generosity of time and financial subsidy. We gratefully acknowledge memorial gifts from the families Anne Hughes, Anne Starr, Frederick Giffels, and John Brennan. We are thankful for the generous gifts of Drs. Thomas & Irene Kelley, Jeffrey Overman, Canton Art Association, Moms' Club, and Lions' Club. Private donations for the year totaled \$8,394. Thanks to Christopher Fisher for his donation of the Canton Junction model on permanent display.

Respectfully submitted,

Dorothy Shea, Chair, Board of Library Trustees

Mark Lague, Library Director



**MASSACHUSETTS WATER RESOURCE AUTHORITY (MWRA)**  
**ADVISORY BOARD**

The MWRA Advisory Board was created by the State Legislature to represent the interests of MWRA service area communities. The Advisory Board is charged with review and comment on MWRA policies, practices, and budgets.

The MWRA Advisory Board worked with MWRA Staff to reduce the Fiscal Year 2014 (FY 14) Expense Budget. Position reductions and debt restructuring helped reduce the original 4.4% rate increase to 3.49% or a 660.6 Million Dollar current expense budget. Capital financing costs are the largest expense making up 60.3% of the revenue need.

Rate revenue requirements between FY 14 and FY 28 are projected to be an average of 3.4% or 24 Million Dollars per year. FY 17 rate revenue need is expected to be 8.5%.

FY 14 will mark the first time that the MWRA will be paying more in principal than it borrows. FY 14 also marks the beginning of the next 5-year Capital Improvement Program. Through the Advisory Board, capital spending has been capped at 800 Million per year. The cap had been previously set at 11 Billion per year.

Capital financing and debt service are the largest part of MWRA expenses, the Advisory Board continued to advocate with Governor and State Legislature for debt service assistance through the state operating budget.

Respectfully Submitted,

Michael Trotta  
Superintendent of Public Works

## **NORFOLK COUNTY REGISTRY OF DEEDS**

2013 Annual Report to the Town of Canton  
William P. O'Donnell, Register  
649 High St., Dedham, MA 02026

The Registry of Deeds is the principle office for real property records in Norfolk County. The Registry receives and records hundreds of thousands of documents each year, and is a basic resource for title examiners, mortgage lenders, municipalities, homeowners, and others with a need for land record information.

The Registry operates under the supervision of the elected Register, William P. O'Donnell. In over two hundred years of continuous operation, the Registry's objectives have remained the same; accuracy, reliability and accessibility for the residents, businesses and communities of Norfolk County.

In over two hundred years of continuous operation, the Registry's objectives have remained the same; to maintain the accuracy, reliability and accessibility of our communities land records for the residents and businesses of Norfolk County.

### **2013 Registry Achievements**

- Register William P. O'Donnell and his staff continue to visit town halls, senior centers and civic groups across Norfolk County. Register O'Donnell held office hours at the Canton Town Hall on October 7<sup>th</sup>.
- The Registry of Deeds full service telephone and walk-in Customer Service and Copy Center continues to provide the residents and businesses of Norfolk County with quality real time customer assistance in all area of Registry operations.
- Electronic recording continues to expand with 31,639 documents recorded electronically and 7.26 million in recording fees collected in 2013.
- The internet library of images accessible to the public through the Registry of Deeds online research system at [www.norfolkdeeds.org](http://www.norfolkdeeds.org) continues to expand as all documents back to the first documents recorded in Norfolk County in 1793 are available for viewing.
- Multiple technological improvements were implemented in FY13 including ongoing upgrades to the registry server and the introduction of an improved Registry of Deed's website. The Registry's website [www.norfolkdeeds.org](http://www.norfolkdeeds.org) is regularly updated and enhanced to include recent news, resources for homeowners, real estate statistics, media information and answers to frequently asked questions.

- Improvements to the physical and structural appearance of the historic Registry Building continued with the installation of new central air conditioning throughout the facility and additional shelving units which will serve to meet the demands of future record book storage.
- Register O'Donnell hosted several free computer seminars at the Registry to provide hands on training to members of the public and trade groups on land record research using the Registry's new website technology.

Real estate activity in Canton, MA during 2013 saw decreases in total volume and sales price along with reductions in foreclosure activity.

There was an 8% decrease in documents recorded at the Norfolk County Registry of Deeds for Canton during 2013 at 6,227 which was 515 fewer documents than the 2012 total of 6,742.

The total volume of real estate sales in the Town of Canton during 2013 was \$186,084,031.00 which showed a 21% decrease from 2012. The average sale price of deeds over \$1,000 (both residential and commercial properties) was down in Canton by 37% in 2013 at \$477,138.54 which showed a \$284,855.61 decrease from 2012.

## **NORFOLK COUNTY MOSQUITO CONTROL DISTRICT**

NCMCD operations apply an Integrated Pest Management (IPM) approach to mosquito control that is rational, environmentally sensitive, and cost effective.

### **Surveillance**

We are engaged in an intensive monitoring process through weekly field collections and data analysis in collaboration with the Massachusetts Department of Public Health (MDPH) to detect for disease-vectoring mosquitoes. Virus isolations assist us in focusing our surveillance to hot zones thereby allowing us to alert nearby towns of a potential epidemic.

Virus Isolations in the town:	EEE in Culiseta melanura	8/21/13
	EEE in Coquillettidia perturbans	8/21/13

Requests for service: 766

### **Water Management**

Communication with residents and town/state/federal officials, site visits, monitoring, wildlife management, and land surveys while maintaining regulatory compliance is integral to the management of waterways that may contribute to mosquito breeding. Pre- to post-management documentation allows us to assess the efficacy of our work.

Culverts cleared	0 culverts
Drainage ditches checked/hand cleaned	8,100 feet
Intensive hand clean/brushing*	0
Mechanical water management	0
Tires collected	0

*\* Combination of brush cutting and clearing of severely degraded drainage systems or streams by hand.*

### **Larval Control**

When mosquito larval habitat management is not possible, larval mosquito abatement is the most environmentally friendly and effective method of disease control. An intensive monitoring program, aides in our decision to effectively target culprit locations.

Spring aerial larvicide applications (April)	679.1 acres
Summer aerial larvicide applications (May – August)	134.3 acres
Larval control - briquette & granular applications by hand	6.4 acres
Rain basin treatments – briquettes by hand (West Nile virus control)	399 basins
Abandoned/unopened pool or other manmade structures treated	1 briquet

### **Adult Control**

Adult mosquito control is necessary when public health and/or quality of life is threatened either by disease agents, overwhelming populations, or both. Our rigorous surveillance program, along with service request data and state of the art GPS and computer equipment, allows us to focus our treatments to targeted areas.

Adult aerosol ultra-low volume (ULV) applications from trucks  
16,645 acres

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Respectfully submitted,

David A. Lawson, Director

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## **PLANNING BOARD**

801 Washington Street  
Canton, MA 02021  
Tel: 781-821-5019

Jeremy J. Comeau, Chairman,  
Kristin J.B. Mirliani, Vice Chairman  
Tori McClain, Clerk  
Christopher J. Connolly  
George Jenkins

The organization of the Planning Board changed in May, 2013 when Jeremy J. Comeau was voted in as Chairman and Kristin J.B. Mirliani was voted in as Vice Chairman. Tori McClain was voted in as Clerk of the Planning Board.

The Planning Board is charged with reviewing plans under the Subdivision Control Law, M.G.L. Chapter 41, Section 81 –A-Z as well as the Town of Canton Subdivision Rules and Regulations. The Board is further charged with enforcing the rules and regulations of the Town of Canton Scenic By-Law.

In the calendar year 2013, the Planning Board met formally twenty-two (22) times. At those meetings, the Planning Board reviewed ANR (Approval Not Required) Plans, Preliminary Subdivisions, Definitive Subdivision plans, Flexible Development Special Permit Applications, and site plans as advisors to the Zoning Board of Appeals.

At all the meetings of Planning Board, Thomas Houston and his firm of P.S.C. acting as the Planning Board Consulting Engineering firm. P.S.C. continued to provide the board with engineering review and guidance during the public hearing process as well as during the construction phase of each project to ensure compliance under the Town of Canton Subdivision Rules and Regulations. We appreciate the efforts of P.S.C. and thank Thomas Houston for his technical guidance.

Also, our appreciation goes to the firm of Deutsch/Williams as well as Attorney Kimberly M. Saillant for their legal advice on Planning Board matters, the Building Department, the Engineering Division, the Zoning Board of Appeals and the Board of Selectmen. Furthermore, the work of the Planning Board could not have been completed without the aid of our Administrative Assistant, Karen Lawlor. We extend every appreciation for the work she does on our behalf.

Respectfully Submitted,

Chairman  
CANTON PLANNING BOARD

## **POLICE DEPARTMENT**

### **Mission Statement**

It is the primary mission of the Canton Police Department, to deliver professional police services to the residents and business owners of Canton, as well as those who visit our community regardless of race, color, religion, ethnic origin or sexual orientation.

### **Crime**

The Canton Police Department made several substantial arrests throughout 2013. The marked increase can be credited to several advanced investigative initiatives. Some of the highlights of this year include an arrest for a near fatal shooting that took place on Neponset St. , the high profile apprehension of the serial Dunkin Donuts armed robber-responsible for terrorizing 22 establishments in the state, and a large 300+ lb. marijuana seizure and subsequent arrest.

We continue to see a rise in the number of young adults in our community that are addicted to prescription pills and illicit drugs-most notably heroin. We will continue to aggressively investigate the source of these drugs and to do everything possible to arrest and hold accountable any individual who deals drugs in our community.

### **Personnel**

In February of 2013, we lost Officer Rafael “Ralph” Centeno after a long and courageous battle with pancreatic cancer. Officer Centeno was the first Hispanic officer in the proud history of the Canton Police Department. His colleagues embraced the diversity that he brought us and although he only worked here for 5 years, he made an indelible mark on this department and the community as a whole. We wish to dedicate this report in his memory.

In October, Officer Michael Lank was promoted to Sergeant-continuing the family legacy of police service started by his deceased father Milton Police Officer John Lank.

The start of 2013 brought us two new officers- Zach Pearlstein and Tim Taylor. They were followed later in the year by Officer Ryan Sceviour and Officer Eli Anderson. Each officer has brought with him unique talents which will enable them to carry on the proud and honored values of this organization, Courage, Professionalism and Dedication (CPD).

### **Community Initiatives**

The Canton Police Department has spearheaded a number of new initiatives, such as the formation of the Canton Substance Abuse Coalition. The mission of this multidisciplinary team is to reduce the demand for and the use of drugs and alcohol in the community of Canton. The coalition has placed a special emphasis on

equipping middle and high school aged students, with the ability to make the right choice if presented with the opportunity to try either drugs or alcohol.

We have launched an Interfaith Safety and Security Council for Houses of Worship in our town. We meet a number of times a year to discuss issues that arise in all religions. We discuss how world events could impact the different faiths and put measures in place to keep address these issues.

In an effort to detect and to intervene with teens who may be at risk, we have expanded our School Resource Officer program to include the Galvin Middle School. Officers assigned to the school work closely with school personnel to identify students that may be prone to experimenting with drugs and alcohol and a host of other issues. They act as mentors for these impressionable youngsters and help to get those who may be veering down the wrong road back on track.

The Canton Police Department has formed a new Family Service Unit which is dedicated to working victims and solving crimes that include Domestic Violence, Sex Crimes, Juvenile Offenses and School Safety issues.

### **The Year Ahead**

In 2014, the Canton Police Department will look to continue to have expand our presence in the Canton school system and continue to maintain our personnel at the Blue Hills Regional High School. Not only will we continue to aggressively go after people who profit off of dealing drugs in our community, but we will constantly be searching for new ways to reduce the demand for drugs in Canton.. We are confident that proactive programs and strategies, which identify children at risk at earlier ages, will help to circumvent issues from arising in the future.

We continue to embrace our role as the first line of defense in the “homeland security” mission. Members of our department played a significant role in responding to the 2013 Marathon Bombing and we again travelled into Boston with personnel and resources during the Red Sox World Series games and ensuing celebrations. The Canton Police Department will again play a vital role in partnering with the Boston Police, the State Police, federal law enforcement and a host of surrounding local police agencies in securing the 2014 Boston Marathon.

In Service,

Kenneth N. Berkowitz  
Chief of Police



## **PUBLIC WORKS DEPARTMENT**

**Administrative Office & Engineering Division**  
**Hours: 8:00 AM to 4:00 PM**

**801 Washington Street-Lower Level**  
**781-821-5023**

**Water Division Administration**  
**Hours: 7:00 AM to 3:30 PM**

**801 Washington Street-Second Floor**  
**781-821-5017**

Michael Trotta  
Daniel Teague  
James Donovan  
William Walsh  
Dennis Morton  
Karen Welch

Superintendent of Public Works  
Operations Manager  
Town Engineer  
Highway Supervisor  
Water & Sewer Supervisor  
Water & Sewer Billing Coordinator

It is the mission of the Public Works Department to ensure the value and maintenance of the existing infrastructure of the Town of Canton as well as to promote an investment in its future, thereby providing for the health and well being of its Citizens.

The Public Works Department, acting through the Superintendent and Managers, will provide these services in a cost effective, responsive, and accountable manner, according to generally accepted municipal standards. The services will be provided with a commitment to constant improvement.

### **ADMINISTRATION and HIGHWAY & MAINTENANCE DIVISIONS**

The Administration Division provides centralized administrative and management support for Public Works. Its activities include managing customer service requests, business accounts, payroll, and information processing.

The Administration Division handled 5,753 phone inquiries, distributed 272 recycle bins, issued 1,424 Yard Waste Stickers, processed 4,509 invoices, and created 748 work orders.

The Highway & Maintenance Division is responsible for the upkeep of Town roads, sidewalks, trees, drains, the Canton Corner Cemetery, and the maintenance of all equipment. Its activities include sweeping streets, repairing or reconstructing roads and sidewalks, providing winter maintenance, cleaning catch basins on all public streets, and repairing both Public Works and other Town owned vehicles and equipment.

Highway & Maintenance Division coordinated paving of 8 streets and paving of the Bolivar St. Public Works Yard. The streets included Legion, May, Beatty, Porter,

Shawnlee, Woodlock, Beaumont, and Jackson. The Division closed out 712 work orders generated from customer service requests.

All streets were swept three times and over six hundred and eighty catch basins were cleaned.

Streets were sanded or plowed 29 times. Winter storms totaled 83-inches. The Division fought two major winter storms; 28-inches falling February 8 -10, 2013 and 29-inches falling March 7 -8, 2013.

## **ENGINEERING DIVISION**

The Engineering Division provides technical support and project co-ordination for the Department as well as for other Town Boards and agencies. The Division also inspects and approves contract and private work that add to the infrastructure of the Town.

The Division dealt with 740 service requests and issued 364 street opening or utilities permits. The Division completed in-house design and bid and oversaw the demolition of the old and construction of the new Tolman Street Water Tank.

Engineering also prepared and submitted State Grant Applications to assist with pavement management program and supplement Chapter 90 appropriations.

## **WATER SEWER DIVISION**

The Water Sewer Division is responsible for the operation and maintenance of the Town's water and sanitary sewer systems. The Division provides safe clean drinking water from Town wells and the MWRA. Sanitary waste is removed through the sewer system and transferred to the MWRA interceptor and then to Deer Island treatment facility.

The Division processed 36,334 water sewer bills, handled 1,853 water and 475 sewer service requests, and completed 1,143 water meter installation and water meter service calls.

Water Sewer Division produced 750 MG from the Moran and Sullivan Treatment and Facilities and bought 306 MG from the MWRA for calendar year 2013.

The Division worked with engineering consultants to install 13,000 feet of water main and service pipe in the Maplecroft – Cedarcrest area and to make several hundred point repairs to sanitary sewer system to reduce inflow and infiltration.

## **Reflection**

Public Works congratulates Peter Curran for thirty years, Jim Connor and Joe Welch for twenty five years, Greg O'Brien, Tony Pinheiro and Bill Walsh for twenty years, Chris Sykes for ten years, and Pat Cawley for five years of service. We also welcome Brian Kiley to the Water Sewer Division. Our success is built upon their commitment and effort.

Respectfully Submitted

Michael Trotta  
Superintendent of Public Works

## **RECREATION DEPARTMENT**

William J. Armando Recreation Facility  
92 Pleasant Street  
Canton, MA 02021  
[www.cantonrec.com](http://www.cantonrec.com)

Office Hours: Monday – Friday, 9:00 AM-5:00 PM  
Phone: 781-821-5030 Fax: 781-575-6587

### **DEPARTMENT STAFF**

Janet M. Maguire, Recreation Director  
Audrey Cohen, Secretary  
Dennis C. Aldrich, Maintenance Supervisor  
Allan White, Facility Maintenance Worker  
Michael T. O'Brien, Grounds Maintenance Worker  
James G. Walsh, Grounds Maintenance Worker  
TBA, Grounds Maintenance Worker

### **PLAYGROUND & RECREATION COMMISSION**

Larry Bogue, Chairman  
Cab Devoll  
Richie Eckler  
Stacey Gorman  
Alison Grossman  
Debbie Kelly  
Tom Theodore

Each year, the Recreation Department offers a variety of opportunities for residents of all ages to participate in leisure activities which contribute to a healthy lifestyle. Playgrounds, athletic fields, programming, and special events present something for everyone to enjoy. The members of the Playground and Recreation Commission, appointed by the Board of Selectmen, embody a cross section of Canton residents. The Commission works with the department to provide quality facilities and programming to meet the needs of the community. The Commission members also play a vital role in the planning and implementation of special events sponsored by the Recreation Department.

### **STAFF UPDATES**

Fall of 2013 was start of several staff changes within the Recreation Department. After Brian Kiely moved to a position in the Water Department, Dennis Aldrich was promoted to Maintenance Supervisor. Dennis' expertise as a Certified Pool Operator, his years of experience with the department, and his rapport with colleagues and town residents have allowed him to hit the ground running in his new role. The department then welcomed Allan White back to recreation from the Department of Public Works. Nights and weekends during the winter months, he will be a staple at the Metropolis Skating Rink as both Mike O'Brien and James Walsh have moved into regular daytime shifts year round. The final position is expected to be appointed in February 2014 to form a top-notch team to meet the needs of the department and its clients.

### **FACILITIES**

The Recreation Department manages four main facilities: the Armando Recreation Facility, Metropolis Skating Rink, Bolivar Swimming Pool, and the Gridley School

Building. In addition, the department is responsible for the maintenance of nineteen athletic fields and seven playgrounds located at thirteen locations throughout the town of Canton. The various facilities service Canton's youth sports programs in soccer, ice hockey, lacrosse, football, baseball, and softball, as well as, adult softball leagues, summer playground and camp programs, other rental groups, and Canton citizens throughout the year.

As part of long term planning, Sandra Libby of P.S. Play Safe was hired to assess and make recommendations for the recreation playgrounds. As a result of her work, Level 1 safety concerns were immediately addressed. Future improvements and planning for potential new projects will be ongoing to maintain playgrounds that are safe and provide opportunity to children of all ages to be active.

## **PROGRAMMING**

Staff hiring processes and training were a point of emphasis entering the 2013 summer season. Group interviews and training days were added to hire and prepare top candidates for camp and playground positions. Top Secret Science and Math along with Draw and Dabble classes were strong new comers to the summer program. The Edge Program for middle school age children (grades 6-8) also made its debut. The Edge offered participants a variety of field trips and activities such as Six Flags, hiking, canoeing, and Brownstone Park. The Recreation Department continued to maintain its full slate of diverse offerings including: arts and crafts, magic lessons, gymnastics, tennis, track, drama, skiing, skating, swim lessons, pre-school music, and field hockey.

Winter programs such as recreation learn to skate, ski and snowboard lessons at Blue Hills continue to see positive results and new participants. In addition to public skating, and public hockey opportunities, Metropolis Skating Rink is home to four local high school hockey programs, hosts birthday parties and charity events, and provides use of the facility to youth groups and school groups.

The Recreation Department joined forces with Canton Youth Basketball to offer in-town basketball for the 2013-2014 season. The goal is to provide participants with a fun and positive basketball experience while developing their skills and knowledge of the game. Like several other recreation programs, in-town basketball has seen an increase in registrations.

After a full year since implementation, online registration for programs continues to be the method of choice for the majority of participants.

Not without challenges in 2013, the Recreation Department came to the decision that it would no longer sponsor the Gridley Preschool Program due to a number of factors including the inability to sustain the program financially.

## **SPECIAL EVENTS & SENIOR CITIZENS**

Through the joint efforts of the Recreation Commission and Recreation Department, several town-wide special events were once again sponsored in 2013. Events included: Easter Egg Hunt, Spring Carnival, July 4<sup>th</sup> Road Race and Fireworks Celebration, Summer Concert Series, Billy Armando Golf Tournament, Halloween Parade, and Senior Citizen Christmas Party. The Recreation Department and Commission would like to thank all of the businesses and individuals that contributed to the success of these events.

The July 4<sup>th</sup> Fireworks Celebration returned to the Irish Cultural Center and experienced great success. Those in attendance were treated to a fantastic display along with great musical entertainment by Classic Trax.

The summer concert series made its way back to the CHS lawn after mosquitoes moved the series indoors in 2012. The series again featured those with hometown ties like the Canton Community Band and The Leafmen. Returning group, The Infractions, were a hit along with first time appearances by Cactus Gang and Olde Kids on the Block.

In addition to the many programs offered, the Recreation Department works in conjunction with the Council on Aging to arrange transportation to the senior citizens for medical appointments, errands, shopping, and social events sponsored by the council on aging.

Finally, the Board of Selectmen honored Ada Goodrich with the dedication of a flag pole at the Armando Recreation Facility in October of 2013. Ada served the Canton Community as a member of the Recreation Commission for thirty years (1978-2008) was recognized for her hard work and commitment to the town of Canton and its youth. Special thanks are given to the Department of Public Works for its contributions in the preparation and installation of the flag pole and walkway.

The Recreation Department would like to thank its staff and volunteers, the staff of other supporting town departments, the Board of Selectmen, and the residents of Canton for their continued support and participation in 2013. We are excited about what the future holds for 2014. Hope to see you around town in recreation and leisure activities!

Respectfully submitted,  
Janet M. Maguire, Recreation Director  
& the Canton Recreation Commission

## **REGIONAL EMERGENCY PLANNING COMMITTEE**



### **Central Norfolk County**

Business: (781) 575-6654

Fax: (781) 821-6591

Charles E. Doody  
Vice Chairman

Email: [cdoody@town.canton.ma.us](mailto:cdoody@town.canton.ma.us)

The Central Norfolk Regional Emergency Planning Committee membership is made up of representatives from Canton, Medway, Millis, Norwood, Sharon, Walpole and Westwood. The Central Norfolk REPC has achieved Full Certification status as of July 26, 2013, completing all of the requirements required by the State Emergency Response Committee.

The objectives of the committee are as follows:

1. Prepare a regional emergency plan and review it annually
2. Evaluate the need for resources to develop, implement, and exercise the plan
3. Evaluate the effectiveness of the plan
4. Make recommendations with respect to additional resources and how to provide them
5. Establish procedures for receiving and processing requests from the public for information about and/or copies of emergency response plans
6. Provide public awareness
7. Review and act as oversight for hazardous materials training for municipal services

The CNFREPC received a grant from the Commonwealth in the amount of \$4527.00 to conduct a tabletop drill focusing on transportation hazards. Many of our participating communities have hazardous materials traveling through on freight trains or in close proximity to their borders. CNCREPC has chosen to target risk reduction strategies through comprehensive planning for the 2013-2014 HEMP Grant. In developing risk reduction strategies this will allow our communities first responders to safely and efficiently handle hazardous material incidents such as accidents, spills, and fires involving rail cars.

Respectfully Submitted

Charles E. Doody

Fire Chief/Emergency Management Director

## **BLUE HILLS REGIONAL DISTRICT SCHOOL COMMITTEE**

800 Randolph Street  
Canton, Mass. 02021  
Telephone: 781-828-5800  
Fax: 781-828-0794  
Email: [dsc@bluehills.org](mailto:dsc@bluehills.org)  
Hours: Mon.-Fri. 7 a.m.-4 p.m.

James P. Quaglia  
*Superintendent-Director*

Michael J. Barrett  
*Assistant-Superintendent/Principal*

Avon  
Braintree  
Canton  
Dedham  
Holbrook  
Milton  
Norwood  
Randolph  
Westwood

Francis J. Fistori  
Germano John Silveira  
Aidan G. Maguire, Jr.  
Joseph A. Pascarella  
Robert A. McNeil  
Festus Joyce  
Kevin L. Connolly  
Marybeth Nearen  
Charles W. Flahive

The Blue Hills Regional District School Committee is pleased to submit its Annual Report to the residents of the Town of Canton.

Blue Hills Regional Technical School continues its steadfast commitment to providing the highest caliber academic and vocational instruction to district students in grades nine through twelve, and to those receiving postgraduate training. The nine towns in the district include Avon, Braintree, Canton, Dedham, Holbrook, Milton, Norwood, Randolph, and Westwood.

Mr. James P. Quaglia is the Superintendent-Director of Blue Hills Regional Technical School. Mr. Aidan G. Maguire, Jr. serves as the Chairman and Canton representative on the Blue Hills Regional District School Committee. The Committee meets on the first and third Tuesday of each month at 7:00 p.m. in the William T. Buckley District School Committee Meeting Room (Room 207A) at the school at 800 Randolph St., Canton. The public is invited to attend.

Late in 2004, Gov. Mitt Romney announced the inception of the John and Abigail Adams Scholarships, which are given to high school students in recognition of their outstanding MCAS scores. The scholarships entitle the recipients to four years of free tuition at any University of Massachusetts campus or any participating state or community college in Massachusetts. Fifty members of the Class of 2013 received Adams Scholarships including Daryon Calhoun and Michael Glick of Canton.

Eighty-two Blue Hills Regional Technical School students participated in the SkillsUSA District III Championships held on March 15, 2013 at Greater New Bedford Regional Vocational Technical High School. SkillsUSA is a national



organization for vocational students which holds competitions in scores of technical categories at the local, district, state, and national levels. The students collectively brought home 18 medals and deserve tremendous credit for their hard work, expertise and dedication. The SkillsUSA Chapter Advisor is Mr. Robert Foley. Medalists from Canton included Brad Slocum, bronze in Graphic Communications and Michael Glick, silver in Screen Print Technology.

On April 3, 2013, 16 new members were inducted into the William A. Dwyer Chapter of the National Honor Society at Blue Hills. They included Canton students Arianne Crossen and Cameron Lyons.

Members of the Neponset Valley Sunrise Rotary Club had their annual Blue Hills breakfast meeting on Wednesday, May 1 at the school's student-run restaurant, where they honored 10 outstanding young men and women from the school with scholarships, tool awards, or tuition-paid trips to a leadership conference in June 2013. The Club, which holds its regular meetings in Dedham at the Holiday Inn and whose members are primarily from Dedham and Norwood, has had a longstanding and fruitful relationship with Blue Hills for many years. The Club gives awards to selected Blue Hills students each year. Superintendent-Director James P. Quaglia and Co-Op Coordinator Kim Poliseno both belong to this Rotary Club. All are grateful for the Club's generosity in recognizing the importance of vocational education. In 2013, Cameron Lyons of Canton was awarded a Rotary Youth Leadership Award (RYLA) from Canton Rotary, and it was presented to him at this breakfast meeting which was also attended by several members of Canton Rotary.

At the Senior Scholarship and Awards Night on Wednesday, May 22, 2013, dozens of seniors received scholarships, tool awards and grants. Blue Hills is grateful to all the individuals and various civic and municipal organizations that generously recognized these deserving young men and women.

Each month on the home page of the school's website, [www.bluehills.org](http://www.bluehills.org), two Students of the Month are featured. They typify the very best of what Blue Hills is all about – outstanding scholarship, great school spirit, excellent attendance record, and they are respected by peers and faculty alike. Among the distinguished students chosen for this recognition in 2013 was Margarita Delaporta of Canton.

It was an outstanding year for sports at Blue Hills. The school earned the Mayflower Athletic Conference Sportsmanship Award and the prestigious MIAA District D Sportsmanship Award. Athletic Director/Head Football Coach Edward Catabia was honored with the Eastern Mass. Association of Interscholastic Football Officials Award for Coach of the Year.

The football team was the Mass. Vocational Bowl Small School Champion and Co-Conference Champion. Daryon Calhoun of Canton was a football All-Star. In girls' soccer, softball and basketball, Margarita Delaporta was an All-Star. She was also Blue Hills Female Athlete of the Year. The girls' basketball team had an impressive 20-0 record and was Conference Champion. Girls' basketball Coach Tom McGrath

was Coach of the Year, Boston Globe Coach of the Year, and MBCA Coaches Association Coach of the Year. In ice hockey, the team was Conference Champion. Blue Hills Regional takes great pride in all its student-athletes and coaches and congratulates them for their dedication and hard work.

On November 19, 2013, Blue Hills hosted its annual Open House. This event allows the public to visit classrooms and vocational areas, speak with students, teachers, and administrators. It enables a firsthand appreciation of the variety of vocational training opportunities offered, and the extensive resources that Blue Hills provides for its students.

As of October 1, 2013, total enrollment in the high school was 842 students. There were 59 students from Canton.

Nineteen juniors were awarded their Certified Nursing Assistant credentials in a ceremony at the school in June. All of the honorees were in the Health Assisting program, including Canton students Samanta Danek and Margarita Delaporta.

The Class of 2013 graduated on Wednesday, June 12, 2013. Superintendent-Director Quaglia told the members of the Class of 2013 in his address to them, "Now, you can set your own course. You will have to ask yourself what is important and then do everything you can to achieve it."

Thirty men and women graduated from the Practical Nursing Program (Postsecondary Programs Division) at its 24th Annual Commencement at Blue Hills on Wednesday, June 26, 2013. There were four graduates from Canton including Kelli Gallagher, Courtney Good, Olivia Gronroos, and Hong Jun (Alex) Peng. This superb program earned accreditation from the Council on Occupational Education in 2012.

Capital improvements were made: repairing and remodeling the indoor pool area, including new HVAC and lighting; new baseball and softball fields, with new fencing dugouts and backstops; and refurbished and modernized lecture hall with new seating, sound system and projection.

Blue Hills Regional is proud to offer various services to district residents – and in some cases, the general public – from a variety of technical programs. This practice allows students to utilize their training in practical, hands-on situations that augment their classroom work. Furthermore, these professional-quality services are available at well below commercial cost. Over the years, residents and civic or municipal groups in the Town of Canton have saved considerable money by having Blue Hills Regional students perform work for them.

Students in Cosmetology offer a full range of services for hair, skin and nails by appointment. All members of the public are welcome. Students in the Adult Cosmetology class also welcome customers in the evening.

Full-course lunches prepared by students are served to the public during the school year in the Blue Hills Regional restaurant, the Chateau de Bleu. The restaurant is now open five days a week to serve the public, including Monday. Bakery goods are available for purchase, and the facility can also be used for civic group meetings.

Design and Visual Communications offers services which include: graphic design and large format printing and mounting, banners, posters, lawn signs, window graphics and wall graphics.

The Early Education Center features a preschool program for youngsters who are two years, nine months old to kindergarten-entrance age. It is accredited by the National Association for the Education of Young Children. The program also provides a learning environment for students studying Early Education.

Each year, Blue Hills Regional's Construction Technology students build residential projects. District residents are invited to submit applications for these projects, which must last the full school year and have significant educational value.

Automotive Collision Repair & Refinishing and Auto Technology students do automotive projects for community residents on a departmental-approved appointment basis.

Electrical offers services which include residential wiring, smoke detectors, telephone voice and data wiring, CATV and public building wiring for municipal structures.

Graphic Communications offers services which include business cards, menus, company letterhead, silk screening (including T shirts), pamphlets, booklets and programs.

Metal Fabrication produces items such as fire pits, custom railings, landscaping trailers and custom ornamental metal projects.

Respectfully submitted,  
Mr. Aidan G. Maguire, Jr.  
Chairman and Canton Representative  
Blue Hills Regional Technical School District  
December 31, 2013

## CANTON SCHOOL COMMITTEE

Cynthia J. Sareault Thomas, Chair

960 Washington Street

Reuki Schutt, Vice-Chair

Canton, MA 02021

David Emhardt, Secretary

Telephone – 781-821 5060

John Bonnanzio, Member

Fax – 781-575-6500

Robert Golledge, Member

www.cantonma.org

Hours of Operation

Monday through Friday 8 AM to 4 PM

**BUDGET:** The School Department budget for the current 2013-2014 school year is distributed as follows:

<i><b>Salaries</b></i>	<i><b>\$26,938,326</b></i>
<i><b>Expenses</b></i>	<i><b><u>\$ 6,382,179</u></b></i>
<i><b>Total</b></i>	<i><b><u>\$33,320,505</u></b></i>

The above figure represents a 4% increase above the 2012-2013 budget.

This budget of \$33,320,505 includes revenue offsets of \$1,610,628.

Athletic User Fees/Gate Receipts	\$ 204,165
Building Rental Fees	\$ 137,947
Pre-School Revolving	\$ 68,213
Transportation	\$ 213,617
Student Parking	\$ 29,000
Full Day Kindergarten Revolving	\$ 400,946
Special Education Circuit Breaker Revolving	\$ 492,000
Non-Resident Tuitions	\$ 44,740
Extracurricular	\$ 20,000

**ENROLLMENTS:** Shown below are the enrollment figures for the elementary, middle and high schools for last year (2012-2013) and this year (2013-2014):

	(1/1/2013) 2012-2013	(1/1/2014) 2013-2014	<b>Difference</b>
Pre-school	99	109	<b>+10</b>
Elementary	1496	1519	+23
Middle School	769	786	+17
High School	898	857	-41
Ungraded	<u>50</u>	<u>67</u>	<u>+17</u>
Total	3312	3315	+26

PERSONNEL: The following long-term personnel retired during calendar year 2013:

<u>Employee</u>	<u>Position</u>	<u>Years of Service</u>
Eileen Archibald	Luce School Special Education Teacher	19
Karen Augenstern	CHS Foreign Language Department Coord/Teacher	37
Maureen Cameron	Luce School Special Education Teacher	19
Lawrence Cheever	CHS Engineering Technology Teacher	11
Paul Allen Forrest	CHS Head Custodian	20
Marilyn Roache	CHS English Department Coord./Teacher	14

We owe a debt of gratitude to all of these retirees for their dedication and professionalism on behalf of our students and the school system. Together they provided 120 years of service to the Canton Schools.

I also note the following personnel changes that took place in 2013, either by resignation, non-renewal or eliminated positions:

<u>Employee</u>	<u>Position</u>
Amy Kasaras	Health Teacher
Alex Lee-Clark	Music Teacher
Michael Everett	.4 English Teacher
Rita Cavanaugh	.4 German Teacher
Erica Reardon	English Teacher
David Gonzales	Wellness Teacher
Niambi Jackson	Special Education Teacher
Angelo Demetriou	ASD Classroom Teacher
Suzette Connery	ABA Tutor
Nicole Tavarozzi	Special Education Teacher
Christine Dargon	ABA Tutor
Amanda Davis	Educational Assistant
Kara Kilroy	.8 Guidance Counselor
Robert Taber	Night Custodian
Kimberly Sefrino	Elementary School Principal
Carol McDonough	School Nurse
Nicole Mullin	ABA Tutor
Kendra Murphy	ABA Tutor
Kristin Wisemiller	Reading Specialist
Kerry Ouelette	Food Service Worker
Sheila Cesso	.5 School Nurse

## **The State of Our Schools**

### **1. FY 14 Budget**

The District's FY 14 budget, approved at Annual Town Meeting, totaled \$33,320,505. This greatly appreciated total represented a 4.1% increase from the previous year's budget and allowed the District to effectively meet the needs of our students from grades PK-12

Below is a sampling of some of the ways in which the District was able to utilize the funds within the budget:

- Continued to meet the contractual obligations of the CBA.
- Allowed for secondary class sizes to better meet School Committee goals.
- Successfully managed growth of Kindergarten program.
- Continued with development of SPED programs that keep Canton students in the least restrictive environment.
- Provided for appropriate coverage before school at elementary and secondary levels.
- Provided elementary schools with needed administrative support.
- Created more elective offerings for students at secondary level, including Advanced Placement courses, Mandarin and STEAM related courses.
- Instituted Team Leaders at the GMS.
- Restored custodial coverage that was reduced in previous budgets.

In addition, the District's FY14 Cash Capital Budget totaled \$443,000. With this money, the District was able to bring forth the following enhancements across the district:

#### **Building Repairs/Improvements**

Bathroom Partitions-Hansen  
HVAC-System wide  
Hot water pump replacement-Hansen

#### **Grounds Improvement**

School retaining walls- Hansen

#### **Technology**

Infrastructure Upgrade- Phase One  
NetApp Storage Array  
District Classroom Printers  
High School & GMS Wireless Build- Phase One  
CHS Art Lab Computer Upgrade  
Adobe Illustrator & Photoshop Upgrade- K-12 Art  
Rodman Security Cameras

### Program Improvements

Textbooks-Language Arts- Galvin  
Textbooks- Various- High School  
New Educator Evaluation Management System- System wide

### Furniture & Fixtures

Cafeteria Tables- Luce

### Extraordinary Maintenance

Structural Engineering Work on Bleachers

The support of the taxpayers of Canton is greatly appreciated.

## **2. Technology Update**

The summer of 2013 was a great time for the Technology Department to make some changes and updates to our infrastructure and databases. This Summer Update is a combination of the Network and Instructional Technology projects completed or work-in-progress during the 2013 Summer months. Given that this summer was short due to a long winter with a resulting final last day of school at the end of June, this list continued throughout the Fall.

### **Updates/Renewals/Staffing**

- Hired 3 Technology Integration Assistants-1 for Each Elementary School Computer Lab
  - District and School Websites Updated for 2013/14 School Year
  - Lab Scheduler Updated for JFK, MS and HS with 2013/14 Scheduling Periods/Blocks and New Lab Scheduler Subscription Loaded for Luce and Hansen Elementary Schools
  - GMS and CHS Classes Uploaded to Edline for Student and Parent Private Access
  - GMS and HS GQWeb Gradebooks Uploaded and 12/13 Gradebooks Archived
  - Instructional Databases Updated for Elementary School Students and Staff: Think Central, Study Island, UltraKey, Typing Pal, EnVisions
  - Webmaster Meeting/Training to Review 2012-13 School Improvement Surveys Regarding School and District Webpage Feedback—Archived Homepage Slideshows
  - New Leased Copiers Installed throughout the District
  - Recycled Equipment Picked Up for Proper Disposal
  - New Staff Accounts Set Up for New Teacher Orientation-over 50 New Employees
  - Elementary School Secretaries Trained in Rediker to Schedule Students for Report Cards -----
  - Technology Professional Development Scheduled for 2013-14 school year with over 30
- Separate Technology After-School Sessions (Edline, GQ, APWeb, United Streaming, First Class, SMART Sync)

### **3. Changes in Leadership**

While the District has been able to assemble a strong administrative team over the past few years, there was a late summer change in the leadership at the JFK Elementary School. Principal Kimberly Sefrino stepped down, after two years of leading the school, to become principal at an elementary school in Lakeville, MA. Since the change occurred late in the summer, the District appointed Ms. Sarah Collmer as the Interim Principal. Sarah has been the district's Performing Arts Director for the previous six years, but was willing to take on the new responsibility of leading the JFK in an interim role until a permanent replacement is named.

### **4. Canton Community Television**

Highlighting a 30 year partnership with Canton Community Television (CCT), the Canton Public Schools was able to complete the repowering of our TV Studio situated at CHS through the largesse of CCT. This past summer and fall CCT donated and installed 3 Sony XD Studio Cameras, a Newtek Replay System and a HD Compix Character Generator (Titling Hardware/Software). Previously, CCT installed a new soundboard, Fora Switcher, monitors and router during the 2011-12 school year.

We are proud to be partners with Canton Community Television and thank them for their amazing generosity. Their assistance allows for the District to run a number of programs for students who are interested in television production. Many of these students have gone on to win a number of awards for their work.

### **5. MCAS**

The Canton Public Schools continued to show progress in the Commonwealth's MCAS exams. Under the new accountability status, Canton was once again rated a Level 2 District. One school, the Lt. Peter M. Hansen Elementary School, was rated as a Level 1 school while all of the others schools were Level 2. All Massachusetts schools and districts with sufficient data are now classified by the Department of Elementary & Secondary Education (DESE) into one of five accountability and assistance levels (1-5), with the highest performing in Level 1 and lowest performing in Level 5

In each area of testing, the performance level of Canton students exceeded the state averages. In the district, across all grades, 83% of our students scored proficient or higher in English/Language Art (ELA). The state average for students scoring Proficient or Higher in ELA was 69%. In mathematics, 72% of our students scored Proficient or Higher, while the state average was 61%. And in Science/Technology & Engineering, 72% of Canton students scored proficient or higher. The state averaged 53% in those disciplines.



Beyond the performance level index, the state is also looking to make sure each student is making appropriate growth each year and are now placing great emphasis on the Student Growth Percentage (SGP). In this area we saw slight growth in the SGP in Math in grades 5 and 7. There were also notable gains in ELA in grades 8 and 10. Overall, the District is moving forward but we are working in all of our schools to see sustained growth in this area.

Two years ago, DESE moved away from measuring the Adequate Yearly Progress (AYP) made by a student, and now focuses on the Progress & Performance Index (PPI) as it pertains to a number of student subgroups. Overall, the district saw a 4% increase in the PPI in the category for the category of “All” students. In addition, there was a 13.6% increase in the PPI for English Language Learners (ELL) and African American students saw an increase of 10.7%. Students in the Low Income subgroup watched their PPI increase by 9.7%. While the District has seen success in our MCAS scores each year, our schools will continue to strive for the consistent and sustained growth of all of our students, in every subgroup.

## **6. Canton Substance Abuse Coalition**

The Canton Public School joined forces with the Canton Police and Canton Fire Departments in establishing the Canton Substance Abuse Coalition. With the growing number of teens becoming involved with drugs and overdose and addiction on the rise across the Commonwealth, these three groups felt it was important to join up to find ways to raise awareness among Canton families on this topic.

The Substance Abuse Coalition has started holding informational meetings for parents and students and will continue to find different venues to meet with community stakeholders to try and curb this ever-growing problem.

## **7. Secretary of Education Malone Visits Canton**

In March, the Massachusetts Secretary of Education, Mathew Malone took time out of his busy schedule to visit the Canton Public Schools. He had a chance to tour our high school and see some of the tremendous programs in place, including the newly formed robotics program and the center for at-risk students. He also saw the great work going on in the Early Childhood Center. The event culminated with a visit to the Galvin Middle School where he heard the talented GMS Chorus perform and had a open discussion with a variety of Canton educational stakeholders.

Secretary Malone walked away with a very positive image of Canton and was thrilled to see some of the exciting programs that have been put in place across the district.

## **8. Breakfast Programs**

Canton High School and the Food Service Department had a successful rollout of the new pilot breakfast program. Starting on February 1st, students at CHS were able to purchase a hot or cold breakfast before the start of the school day. For \$1.50 students can dine on hot breakfast sandwiches, cereal, fresh fruit, bagels, yogurt, muffins, juice and milk. Food Service Director, Martha Lawless, has been trying to introduce breakfast programs around the district and was glad to get the ball rolling at the high school.

Because of the success of the breakfast program at CHS last spring, the District was able to implement this at the Galvin Middle School in the fall. Both schools have had great success with this program and it is having a direct benefit to their students. We hope to see these programs continue to grow next year at the elementary level.

## **9. CHS-Class of 2013**

The Class of 2013 was comprised of a number of talented individuals who cared greatly about their school and embodied the values that try to promote each day in the Canton Public Schools. Their graduation ceremony however, ran into the same problem that the Class of 2012 had just twelve months ago. Mother Nature did not do her part and rain forced the ceremony indoors. Nonetheless, the ceremony was a rousing success and students, parents and staff had an event that they will remember for some time..

The class of 2013 was achieved great success both in and out of the classroom and the range of schools where they chose to attend was quite impressive. Below is a list of the schools where members of the graduating class matriculated to in the Fall of 2013.

Anna Maria College  
Babson College  
Bentley University  
Binghamton University  
Boston College  
Boston University  
Brandeis University  
Bridgewater State University  
Bridgton Academy Maine  
Brooklyn College of the CUNY  
Bryant University  
Carnegie Mellon University  
Coastal Carolina University

Colby-Sawyer College  
College of the Holy Cross  
Community College of Rhode Island  
Curry College  
Dean College  
Drexel University  
Emerson College  
Emmanuel College  
Endicott College  
Fitchburg State University  
Florida Atlantic University  
Florida Southern College  
Framingham State University  
Georgetown University  
Georgia Regents University - Summerville Campus  
Green Mountain College  
Harvard College  
High Point University  
Hofstra University  
Indiana University at Bloomington  
Johnson & Wales University  
Kents Hill  
Lasell College  
Louisiana State University  
Massachusetts Bay Community College  
Massachusetts College of Art and Design  
Massachusetts Maritime Academy  
Massasoit Community College - Canton  
Mercer County Technical Schools (sports management)  
Merrimack College (Biology (Biomedical Science))  
Michigan State University  
Middlesex Community College  
Mike Metric HVAC  
Mount Ida College  
New England Institute of Technology  
New Hampton Prep  
Nichols College

Northeastern University  
Northwestern University  
Parsons The New School for Design  
Plymouth State University  
Pratt Institute  
Prince Edward Island, Univ of  
Providence College  
Purchase College State University of New York  
Purdue University  
Quincy College  
Quinnipiac University  
Regis College  
Rhode Island College  
Roxbury Community College  
Salve Regina University  
Southern New Hampshire University  
St. John's University - Queens Campus  
Stonehill College  
Suffolk University  
Syracuse University  
The New England Institute of Art  
The New School for Jazz and Contemporary Music  
The University of Alabama  
The University of Georgia  
Toni & Guy Academy  
Tufts University  
United States Military Academy  
Universal Technical Institute  
University of California at Los Angeles  
University of Connecticut  
University of Delaware  
University of Hartford  
University of Maine  
University of Maryland, College Park  
University of Massachusetts, Amherst  
University of Massachusetts, Boston  
University of Massachusetts, Dartmouth

University of Massachusetts, Lowell  
University of Miami  
University of New Hampshire  
University of New Haven  
University of Rhode Island  
University of Southern California  
University of Vermont  
Utica College  
Villanova University  
Virginia Commonwealth University  
Wentworth Institute of Technology  
Western New England University  
Westfield State University  
Worcester Polytechnic Institute  
Worcester State University

Sincerely,

Cynthia J. Sareault Thomas, Chair, Canton School Committee

Jeffrey W. Granatino, Superintendent of Schools

## **DEPARTMENT OF VETERAN'S SERVICES**

Hours of Operation - Monday thru Friday 8:30AM 4:30PM

92 Pleasant Street

Phone No. 781-821-5505

Fax No. 781-575-6570

Tony Andreotti  
Director and Veterans Service Officer  
E-mail [tandrotti@town.canton.ma.us](mailto:tandrotti@town.canton.ma.us)

### **~ ANNUAL REPORT - 2013 ~**

#### ***OUTREACH AND MARKETING VETERANS BENEFITS***

- Agent's Corner-weekly column Canton Citizen and Canton Cable
- Veterans Day Programs—Nov 11<sup>th</sup>
- Guest Speaker program— Monthly coffee hours first Thursday every month
- Maintain a mailing list of 1100 Canton Veterans.
- Memorial Day Parade and Program

#### ***VETERANS' DEPT. FUNERALS***

Military Funeral Honors were provided to 36 veterans who passed away in 2013.

#### ***VIDEO TAPING VETERANS***

Interviews of veterans to preserve their war experiences for generations to come, 29 videos have been produced.

#### ***VETERAN TRANSPORTATION***

Veteran's transportation program is in place for veterans to be taken to their medical appointments needed to process VA claims.

#### ***WW II –REGISTRY OF REMEMBRANCE***

Over 1,000 veterans of WW II were entered on the web site of the registry located at the WW II MEMORIAL in Washington, D.C. by the veteran dept volunteers.

### ***PATRIOTIC SCHOOL PROGRAMS***

- Kennedy School
- Hansen School
- Galvin Middle School
- St. Johns School
- Luce School

### ***BENEFIT CLAIMS PROCESSED***

Over 70 claims, both state and federal were processed in 2013, and assistance given and forms filed for burial benefits, grave markers and G.I. insurance.

### ***RETURN OF VETERANS' BENEFITS***

State Ch. 115—Amount to be reimbursed from the state to the town for 2013 is \$143,365.

### ***IRAQ and AFGHANISTAN***

Provide assistance as needed!

Aid, Education, Bonuses, V.A. Claims and etc.

### ***COMMONWEALTH of MASS. CERTIFICATION***

Completed Veterans Service Officers Training for 2013

### ***CEREMONIES***

Veterans' Day breakfast held at the Legion Building

Vietnam Veterans welcome home ceremony. 9/11/11

Rededicated restored WW I Monument on Veterans Day 2013

### ***VETERANS MEMORIAL PARK***

Veterans Memorial Park installation of year round lighting of monuments. Landscaping improvement continues.

### ***DONATIONS***

2013 --\$ 36,150.

Tony Andreotti

Director and Veterans Services Officer

## **WATER SEWER RATE & POLICY ADVISORY COMMITTEE**

Michael Trotta, Public Works  
Dennis Morton, Water Sewer Supervisor  
Karen Welch, Water Sewer Office Admin.

James Murgia, Finance Director  
David Emhart

The Water Sewer Rate and Policy Committee meets to assure that the costs and revenues needed to fund the pumping, treating, and delivery of a continuous and safe water supply are adequate for all residents and businesses in Canton. The Committee's goals in setting water sewer rates are to allocate costs fairly among customers, to maintain a rate that fully covers cost of operation and infrastructure investment, and to comply with regulatory and industry standards.

The Committee, through the Pioneer Consulting Group, Inc., completed an analysis of the FY 13 water sewer rate methodology to recommend FY 14 changes to continue to strengthen the water and sewer enterprise funds. Enterprise funding for Canton Public Works is designed to cover Water Sewer Division direct costs, such as salaries and purchase of goods and services, indirect costs such as FICA, retirement, and workers compensation, and debt service authorized at Annual Town Meeting.

The no rate change for FY 14 water and 5% increase for FY 14 sewer resulted in a combined water sewer increase of 2.97% or \$8.22 per quarter for the average residential customer.

The Committee thanks David Emhart for his service and counsel during his term and wishes him well.

Respectfully Submitted

Michael Trotta  
Superintendent of Public Works



## **ZONING BOARD OF APPEALS**

Paul B. Carroll, Chairman  
Gregory L. Pando, Vice Chairman  
John S. Marini, Member  
Kevin T. Feeney, Alternate  
James F. Fitzgerald, Alternate  
Velma J. Coffey, Administrative Asst.  
& Recording Secretary

801 Washington Street  
Lower Level  
Canton, MA 02021  
Telephone: 781-575-6589  
Fax: 781-821-5059

### **Hours of Operation:**

Tuesday - Friday      7:30AM – 3:30PM  
Monday                      7:30AM – 5:00PM

2013 was a busy year for the Zoning Board of Appeals. The Zoning Board of Appeals conducted 50 Formal hearings and 40 Informal hearings. These numbers reflect a decrease of 3 Formals and Informals. The breakdown is as follows:

### **Scheduled Hearings by Subject Matter:**

Setback/Dimensional Relief:	20
Signs:	5
Restaurant/outdoor seating:	1
Accessory Apartments:	6
Demo and rebuild:	2
Change in use:	5
Modify site plan:	8
Non-customary home business:	1
Accessory Structure	1
Site Plan Approval	5

### **Informal Hearings by Subject Matter:**

Modification of a previous decision/site plans	15
Change in Use (temporary)	3
Signs/banners:	15
Accessory Apartment:	1
Telecommunications	1
Demo and Rebuild	1
Misc:	4

The Board wishes to express its appreciation to their support staff including Building Commissioner Ed Walsh, Administrative Assistant and Recording Secretary, Velma J. Coffey, Conservation Commission Administrative Assistant, Heather Cahill and Town Counsel Deutsch/Williams, all who provided the Board with the assistance necessary to make 2013 meaningful and constructive for the Zoning Board of Appeals.

The Zoning By-Law Sub-Committee, in conjunction with the Planning Board, continues to improve our re-codified By-Laws by submitting an Annual Town Meeting article to correct scrivener's errors and working to provide additional definitions and clarifications where necessary. This Board wishes to recognize and thank Atty. Mark Bobrowski for his assistance in re-codifying our By-Laws.

The Board would also like to thank the Board of Selectmen, Town Administrator Bill Friel, and the Planning Board for all their assistance and support during the year.

Respectfully Submitted,

Paul B. Carroll  
Chairman

## TOWN COUNSEL

**Paul R. DeRensis, Esq.**  
**Deutsch Williams Brooks DeRensis &**  
**Holland, P.C.**

**One Design Center Place, Suite 600**  
**Boston, MA 02210**  
**Telephone – 617-951-2300**  
**Fax – 617-951-2323**  
**E-mail – pderensis@aol.com**

**Hours of Operation: Monday – Friday 9:00 AM to 5:00 PM**

Can. Adv. Op. 186

### **ANNUAL REPORT REPORT OF TOWN COUNSEL 2013**

This year was a very active and successful year for the Law Department:

1. Advice & Legal Documents. This year numerous advisory opinions were rendered to various Town officials and Boards relating to a wide variety of issues and subjects. Frequent and ongoing attention was given to reviewing and/or drafting Bylaws, contract documents and agreements, easements, open meeting law issues, alcohol license issues, zoning covenants, procurement documents, public road documents, conflict issues under the State Ethics Act, bylaw enforcement issues, Warrants for Town Meeting, ballot questions, tobacco regulations, and other legal documents.

2. Labor Issues. We provided advice from time to time during 2013 regarding a variety of federal and state law and issues applicable to non-union employees.

3. Projects. We assisted with various road layout issues including transitioning private ways to public ways; economic development questions; Building Department code enforcement issues; assistance to Planning Board for site plan review; ANR issues and subdivisions such as Turtle Creek Subdivision; issues relating to the Plymouth Rubber site, including work implementing the acquisition by the Town of Reservoir Pond and Bolliver Street Dam; Westwood Station, now University Station; sewer issues including infiltration inflow projects and regulatory permitting issues; the SEMASS contract; election issues; animal control issues; wireless tower leases; intermunicipal agreements with other communities including the Milton-Canton water agreement; the Hanson School Walkway project, the solar power electrical generation facility at the town's former landfill; Recreation Commission financial practices investigation; legal issues regarding development of a Senior Center; conservation restrictions; eviction of occupants from Town property and property auctions; the DPW Building Construction Project; implementation of the Town's adoption of the Community Preservation Act; medical marijuana dispensing facilities zoning issues; and Tolman Tank issues.

4. Administrative Agencies. We pursued the interests of the Town before the Appellate Tax Board, Bankruptcy Court and the Office of the Attorney General, and consulted with the State Ethics Commission, Alcohol Beverage Control Commission and Department of Revenue regarding various town issues.

5. Litigation & Labor Arbitrations. As of December 31, 2013, there were 23 pending lawsuits and claims involving the Town, as follows:

- 1 lawsuit involving the Board of Selectmen:

JNM Hospitality v. Board of Selectmen, Alcoholic Beverages Control Commission, License No. 017000019.

- 3 lawsuits involving the Planning Board:

Considine Development Co. LLC and Village Gate Realty Trust v. Town of Canton Planning Board and the Town of Canton, Land Court Misc. Case No.: 2011- 449127.

Charles S. Cox, Jr., Arthur Richmond and Carol Richmond v. Considine Development Co., LLC and Village Gate Real Trust v. Town of Canton Planning Board and the Town of Canton, Land Court Misc. Case No.: 2012-458355.

Joseph Crugnale, Trustee of the Stone Wood Realty Trust v. Town of Canton Planning Board, Norfolk Superior Court, Civil Action No. 2012-00509.

- 7 lawsuits involving the Finance Department:

Canton Board of Assessors v. Commissioner of Revenue, and Sprint Communications Company, Appellate Tax Board (ATB), Docket No. C-285637.

Canton Board of Assessors v. Commissioner of Revenue, and MCI Communications Services, Inc., Appellate Tax Board (ATB), Docket No. C-285640.

Canton Board of Assessors v. Commissioner of Revenue, and Level 3 Communications, LLC, Appellate Tax Board (ATB), Docket No. C-285641.

Canton Board of Assessors v. Commissioner of Revenue, and Conversant Communications of Massachusetts, Inc., Appellate Tax Board (ATB), Docket No. C-285642.

Canton Board of Assessors v. Commissioner of Revenue, and AT&T of New England, Inc., Appellate Tax Board (ATB), Docket No. C-285643.

Canton Board of Assessors v. Commissioner of Revenue, and Sprint Spectrum, LP, Appellate Tax Board (ATB), Docket No. C-285644.

Canton Board of Assessors v. Commissioner of Revenue, and Teleport Communications Boston, Inc, Appellate Tax Board (ATB), Docket No. C-285645.

- 1 lawsuit involving the Department of Public Works:

Jean Adrian v. Town of Canton, Stoughton District Court, Civil Action No. 2013-55-CV-285.

- 2 lawsuits involving the Conservation Commission:

41 Plymouth Street, LLC; Request for Superseding Order of Conditions, DEP File No. 124-1095.

41 Plymouth Street, LLC v. Canton Conservation Commission, Norfolk Superior Court, Civil Action No. NOCV-2013-01174-D.

- 1 lawsuit involving the Recreation Commission:

Gaffey v. Town of Canton and Commonwealth of Massachusetts; Norfolk Superior Court, Civil Action No. 2013-00233-B.

- 8 Claims:

David Grogan v. Town of Canton (DPW).

Town of Canton v. Jeffrey Kaylor (Recreation Department).

Joseph Connelly v. Town of Canton (Housing Authority).

Anthony Delrose v. Town of Canton (Schools).

Town of Canton v. J. D'Amino, Inc. (DPW).

Melissa Kirk v. Town of Canton (Public Library).

Patricia Kelley v. Town of Canton (DPW).

Sandy Hart v. Town of Canton (Recreation Department).

Each of the above efforts required the participation of numerous Town officials and private citizen volunteers - all working together towards a better Canton.

Thanks to the Board of Selectmen and all other Town officials and citizens for their cooperation and assistance towards a successful year.

Respectfully submitted,

Paul R. DeRensis  
TOWN COUNSEL

## **TOWN CLERK**

Tracy K. Kenney

Gale M. McHugo, Assistant Town Clerk

Kathy R. Dever, Senior Clerk

801 Washington Street  
Canton, Massachusetts 02021

Telephone 781-821-5013      Fax 781-821-5016

Email [tkenney@town.canton.ma.us](mailto:tkenney@town.canton.ma.us)

Hours of operation: Monday, Wednesday, Thursday and Friday from 9am to 5pm  
Tuesday from 9am to 7pm

To the citizens of Canton:

The year began with the mailing of the 2013 Annual Town Census to each of the approximately 9,800 residences in the Town. We were pleased by the prompt response from the majority of residents. I cannot emphasize enough the importance of returning your census form. Many of the funds allocated to the Town of Canton are dependent on our reported population; therefore, a prompt response from every residential household is essential.

There were no contested races on the 2013 Annual Town Election ballot in April which likely contributed voter turnout of less than two percent. I would like to express my appreciation to the administration and staff at the Canton Public Schools and the Blue Hills Regional Technical School for accommodating us once again.

A Special State Primary was held at the end of April to elect a new Senator in Congress. The office was left vacant when Senator John Kerry resigned following his confirmation as U. S. Secretary of State. A candidate representing each of the Democratic and Republican parties was chosen to run for the position in the Special State Election. The Primary resulted in a twenty-three percent voter turnout.

In 2012 the Annual Town Meeting approved changing the time the Annual Town Meeting will be held from the last Monday in April to the second Monday in May. This change will allow more time to collect and analyze budget information. Many of the state appropriations are not available until at least May. This was the first year Canton held the Annual Town Meeting in May. There were 266 voters who attended the May Annual Town Meeting over the course of two sessions.

The Special State Election for Senator in Congress held in June resulted in a thirty-three percent voter turnout.

As of the end of the year the number of registered voters in Canton is 14,467. Our population is 20,853.

In 2013 the Town Clerk's office recorded 219 births, 103 marriages and 260 deaths.

In 2013 the Town Clerk's office issued 1,950 dog licenses. Animal Control Officer Nadya Branca and her staff should be commended for their hard work and dedication in assisting the Town Clerk's Office in achieving this new dog licensing record.

In conclusion I would like to thank all of the elected officials, town employees, our election workers and the citizens of Canton for their cooperation and support during the year. I would also like to thank Assistant Town Clerk Gale McHugo and Senior Clerk Kathy Dever for their continued support.

Respectfully submitted,

Tracy K. Kenney  
Town Clerk

# TOWN ELECTION

APRIL 2, 2013

## Three year term

### BOARD OF SELECTMEN

	1	2	3	4	5	6	TOTAL
<b>John J. Connolly</b>	24	40	16	32	41	25	178
Blanks	5	8	7	12	8	10	50
Others	0	2	1	0	0	2	5
<b>Total</b>	<b>29</b>	<b>50</b>	<b>24</b>	<b>44</b>	<b>49</b>	<b>37</b>	<b>233</b>

## Three year term

### BOARD OF ASSESSORS

	1	2	3	4	5	6	TOTAL
<b>William C. Galvin</b>	26	41	16	30	41	27	181
Blanks	3	9	8	14	8	10	52
Others	0	0	0	0	0	0	0
<b>Total</b>	<b>29</b>	<b>50</b>	<b>24</b>	<b>44</b>	<b>49</b>	<b>37</b>	<b>233</b>

## Three year term

### BOARD OF HEALTH

	1	2	3	4	5	6	TOTAL
<b>Robert Schneiders</b>	21	37	10	27	37	25	157
Blanks	8	12	14	17	11	12	74
Others	0	1	0	0	1	0	2
<b>Total</b>	<b>29</b>	<b>50</b>	<b>24</b>	<b>44</b>	<b>49</b>	<b>37</b>	<b>233</b>

## One year terms (to fill two vacancies)

### SCHOOL COMMITTEE

	1	2	3	4	5	6	TOTAL
<b>Reuki Schutt</b>	19	42	14	28	36	28	167
<b>John Bonnanzio</b>	19	35	18	26	27	29	154
Blanks	20	23	16	33	35	17	144
Others	0	0	0	1	0	0	1
<b>Total</b>	<b>58</b>	<b>100</b>	<b>48</b>	<b>88</b>	<b>98</b>	<b>74</b>	<b>466</b>

## Three year terms

### SCHOOL COMMITTEE

	1	2	3	4	5	6	TOTAL
<b>Robert W. Gollledge Jr.</b>	18	37	14	30	30	25	154
<b>C. David Emhardt</b>	18	33	18	29	30	28	156
Blanks	22	30	16	28	38	21	155
Others	0	0	0	1	0	0	1
<b>Total</b>	<b>58</b>	<b>100</b>	<b>48</b>	<b>88</b>	<b>98</b>	<b>74</b>	<b>466</b>

## Five year term

### PLANNING BOARD

	1	2	3	4	5	6	TOTAL
<b>Tori McClain</b>	19	37	13	25	28	26	148
Blanks	10	13	11	18	21	11	84
Others	0	0	0	1	0	0	1
<b>Total</b>	<b>29</b>	<b>50</b>	<b>24</b>	<b>44</b>	<b>49</b>	<b>37</b>	<b>233</b>

## Three year terms

### LIBRARY TRUSTEE

	1	2	3	4	5	6	TOTAL
<b>Margaret E. Mead</b>	17	37	17	29	32	27	159
<b>Kathy Fox Alfano</b>	20	38	13	33	30	27	161
<b>Emily G. Prigot</b>	16	36	17	30	32	28	159
Blanks	34	38	25	40	52	29	218
Others	0	1	0	0	1	0	2
<b>Total</b>	<b>87</b>	<b>150</b>	<b>72</b>	<b>132</b>	<b>147</b>	<b>111</b>	<b>699</b>

## Five year term

### HOUSING AUTHORITY

	1	2	3	4	5	6	TOTAL
<b>William J. McDauid</b>	21	9	14	29	34	27	134
Blanks	8	41	10	15	15	10	99
Others	0	0	0	0	0	0	0
<b>Total</b>	<b>29</b>	<b>50</b>	<b>24</b>	<b>44</b>	<b>49</b>	<b>37</b>	<b>233</b>



# SPECIAL STATE PRIMARY

APRIL 30, 2013

## DEMOCRATIC PARTY

SENATOR IN CONGRESS	1	2	3	4	5	6	TOTAL
<b>Stephen F. Lynch</b>	281	297	202	279	245	301	1605
Edward J. Markey	116	241	119	184	161	171	992
Blanks	0	3	1	2	1	0	7
Others	0	0	0	0	0	0	0
Total	397	541	322	465	407	472	2604

## REPUBLICAN PARTY

SENATOR IN CONGRESS	1	2	3	4	5	6	TOTAL
<b>Gabriel E. Gomez</b>	53	67	62	82	60	66	390
Michael J. Sullivan	34	46	32	62	68	25	267
Daniel B. Winslow	10	18	16	21	10	11	86
Blanks	0	0	2	1	1	1	5
**Stephen Lynch	0	1	0	0	1	0	2
**Ed Markey	1	0	0	0	0	0	1
Total	98	132	112	166	140	103	751

\*\* Denotes Write Candidate

# SPECIAL STATE ELECTION

JUNE 25, 2013

<b>SENATOR IN CONGRESS</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>TOTAL</b>
Gabriel E. Gomez	376	435	377	523	435	354	2500
Edward J. Markey	315	475	330	386	357	363	2226
Richard A. Heos	3	0	2	2	1	2	10
Blanks	0	1	0	1	1	0	3
All Others	1	1	0	0	3	1	6
** Stephen Lynch	0	0	0	1	3	4	8
Total	695	912	709	913	800	724	4753

\*\* Denotes a write in

# Town of Canton Commonwealth of Massachusetts



## ***MONDAY, THE THIRTEENTH DAY OF MAY 2013***

In accordance with the warrant the Annual Town Meeting was convened on May 13, 2013 and called to order by the Town Clerk Tracy K. Kenney at 7:05pm with 231 voters present.

The Pledge of Allegiance was recited.

The Town Clerk, Tracy K. Kenney, introduced Dr. John Tamilio III of the United Church of Christ who offered the invocation.

The reading of the Warrant was dispensed with on a motion duly made, seconded and unanimously voted.

The reading of the Constable's return was dispensed with on a motion duly made, seconded and unanimously voted.

### **ARTICLE 1**

#### ***ELECT A MODERATOR***

**Article 1** To elect a Moderator to preside at this Town Meeting, to serve until the commencement of Annual Town Meeting in 2014 or to take any other action related thereto.

#### **Board of Selectmen**

Alan Hines was nominated and elected Moderator.

#### **APPROVED UNANIMOUS VOICE VOTE**

### **ARTICLE 2**

#### ***ADOPT RULES TO GOVERN TOWN MEETING***

**Article 2** To see if the town will vote to adopt certain procedures to govern the conduct of the 2013 Annual Town Meeting, or to take any other action related thereto.

#### **Board of Selectmen**

#### **MOTION 1**

**MOVED:** That this 2013 Annual Town Meeting shall meet on consecutive Monday and Wednesday evenings (but not including Monday, May 27<sup>th</sup>) in the Morse Auditorium, on the grounds of the Canton High

**School until the business of this Annual Town Meeting has been concluded, each such session to begin at 7:00 o'clock P.M. and to adjourn at 11:00 o'clock P.M., or as near that hour as may be feasible, according to the nature of the business pending at the said hour.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 2, Motion 1 as printed in the warrant.

Allen Karon spoke in support of the motion. Mr. Karon wished to make the meeting aware that Wednesday night is a Yom Tov and a Shuvuot on the Jewish calendar. Mr. Karon stated that he will be suspending his observance of the Yom Tov for the evening to attend Town Meeting.

Motion 1 adopted as printed.

**ADOPTED UNANIMOUS VOICE VOTE**

**MOTION 2**

**MOVED:** That the following individuals be granted all of the rights and privileges of participation in this Annual Town Meeting, except the right to vote, under any article of this warrant which affects matters within their jurisdiction:

Mark Bobrowski, Esq.  
Debra Bromfield, Director of Student Services  
Rick Brandstatter, Canton Development Properties  
David Carliner, Shelter Group LLC (Articles 16, 17, 18)  
Nanci Cavaretta (Boston Mutual) (Articles 21, 22 & 25)  
John Ciccotelli, Director of Public Health  
Paul R. DeRensis, Town Counsel  
James Donovan, Town Engineer  
Helena Findlen, Police Department Lieutenant  
Rick Fitzpatrick, Business Manager, Norfolk County Agricultural High School (Article 41)  
William T. Friel, Town Administrator  
Michael Glynn, Development Director, Brightview Senior Living (Articles 16, 17 & 18)  
Jeffrey Granatino, Superintendent of Schools  
Suzanne Green, Superintendent/Director, Norfolk County Agricultural High School (Article 41)  
John Hamnett (Turnpike Street property) (Articles 23 & 24)  
Jennifer Henderson, Director for Curriculum, Instruction & Technology  
Brian Joyce, Senator  
Louis Jutras, Information Systems Manager  
Mark Lague, Library Director  
Kenneth Leon, Business Administrator, School Department  
Rick Mann, Esquire (Plymouth Rubber) (Articles 19 & 20)  
James Murgia, Finance Director  
Katie Napleton (Plymouth Rubber) (Articles 19 & 20)  
Howard Neff (Boston Mutual) (Articles 21, 22 & 25)  
Cynthia O'Connell, Conservation Commission Agent  
Bernie Plante (Plymouth Rubber) (Articles 19 & 20)  
David Proule, Business Manager, Blue Hills Regional Technical School  
James Quaglia, Superintendent-Director, Blue Hills Regional Technical School  
Mark Roy, Executive Director, Canton Housing Authority  
Andrew Teeters, Senior Development Director, Brightview Senior Living (Articles 16, 17 & 18)

Michael Trotta, Superintendent of Public Works  
Diane Tynan, Director of Council on Aging  
Tony Will (Turnpike Street property) (Articles 23 & 24)  
Tim Williams, Engineer, Allen Major Company (Articles 16, 17 & 18)

**FINANCE COMMITTEE VOTE: 5-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 2, Motion 2 as printed in the warrant with the addition of **Lynn Sweet, Consultant, LDS Consulting Group (Articles 16, 17 and 18).**

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 3**

**MOVED:** That whenever during discussion under any article in this warrant during this year's annual town meeting, irrespective of which session such discussion is reached during the progress of the annual town meeting, a motion is made, the effect of which is to increase the total amount to be appropriated beyond that which is recommended by the Finance Committee or which changes the method of obtaining funds to meet that appropriation, the moderator shall not accept such motion unless said motion also contains a corresponding decrease in another appropriation as contained in an appropriation article on this specific warrant or a corresponding transfer from any other available funding source or borrowing as an alternative funding source, so that the total amount to be appropriated by the town, at this town meeting, and to be expended thereafter, for all the appropriation articles contained in this warrant, shall not in any event exceed the total dollar amount recommended by the Finance Committee as set forth in the published Report of the Finance Committee Recommendations as may be increased by any transfer from available funds provided, however that nothing in this motion shall prevent an increase in appropriation funding contingent upon the passage of a Proposition 2½ override.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 2, Motion 3 as printed in the warrant.

ADOPTED UNANIMOUS VOICE VOTE

**ARTICLE 3**

***HEAR REPORTS OF COMMITTEES APPOINTED AT PRIOR TOWN MEETINGS***

**Article 3** To hear the reports of all committees, appointed at previous town meetings, which have not yet been discharged, or to take any other action related thereto.

**Board of Selectmen**

**MOVED:** That reports of the following committees appointed at previous Town Meetings be heard and accepted:

**ADA Transition Plan Implementation Committee (ATM 1999, Article 10)**

**Economic Development Committee (ATM 2004, Article 14)**

**FINANCE COMMITTEE VOTE: 6-0-0**

Kevin Feeney gave a report for the **ADA Transition Plan Implementation Committee.**

Gene Manning gave a PowerPoint presentation for the **Economic Development Committee.**

Mr. Hines thanked Mr. Feeney and Mr. Manning and the members of their committees for their efforts.

REPORTS ACCEPTED UNANIMOUS VOICE VOTE

**ARTICLE 4**

***ACT ON "CONSENT AGENDA"***

**Article 4** To see if the town will vote to dispose of certain articles in this warrant by a single vote, in accordance with a so-called, consent agenda, or to take any other action related thereto.

**Board of Selectmen**

**MOVED:** That the following articles be disposed of by a single vote, in accordance with the Finance Committee motions or Planning Board motions as printed in the report of the Finance Committee: Articles 6, 8, 9, 35, 38 and 39.

Article	Description	Motion	FINCOM VOTE	Reason
6	Unpaid Bills of Prior Years	Postpone Indefinitely	7-0-0	There are none.
8	Transfer Unexpended Prior Year Appropriations	Postpone Indefinitely	5-0-0	There are none.
9	Authorize Contracts of more than 3 years	Adopt the article	7-0-0	Non-controversial.
35	Accept General or Session Laws enacted by General Court	Postpone Indefinitely	7-0-0	There are none.
38	Insurance Proceeds	Postpone Indefinitely	7-0-0	There are none.
39	Rescind unused borrowing authorizations	Postpone Indefinitely	7-0-0	There are none.

**FINANCE COMMITTEE VOTE: 5-0-0**

Mark Porter, Chairperson of the Finance Committee, moved a substitute motion that the following articles be disposed of by a single vote, in accordance with the Finance

Committee motions or Planning Board motions as printed in the report of the Finance Committee: Articles 6, 7, 8, 9, 10, 14, 28, 31, 38 and 39.

VOTED: That the following articles be disposed of by a single vote, in accordance with the Finance Committee motions or Planning Board motions as printed in the report of the Finance Committee: Articles 6, 7, 8, 9, 10, 14, 28, 31, 38, and 39.

Article	Description	Motion	FINCO M Vote	Reason
6	Pay bills of prior fiscal year	Postpone Indefinitely.	7-0-0	There are none.
7	Transfers to Historical	Adopt article as written in the warrant.	5-0-0	Non-controversial.
8	Unexpended Prior Year Appropriations	Postpone Indefinitely.	5-0-0	There are none.
9	Authorize contracts of more than 3 years duration	Adopt article as written in the warrant.	7-0-0	Non-controversial.
10	Authorize Certain Revolving Funds	Adopt article as written in the warrant.	7-0-0	Non-controversial.
14	Amend Zoning By-Law – Establishment of Planning Board	Adopt article as written in the warrant.	7-0-0	Non-controversial.
28	Accept Knob Hill Escrow	Adopt article as written in the warrant.	7-0-0	Non-controversial.
31	Adopt General By-Laws on Dogs	Adopt article as written in the warrant.	7-0-0	State Mandate
38	Insurance Proceeds	Postpone Indefinitely.	7-0-0	There are none.
39	Rescind Unused Borrowing	Postpone indefinitely.	7-0-0	Not needed.

ADOPTED UNANIMOUS VOICE VOTE

ARTICLE 6

PAY BILLS OF PRIOR FISCAL YEAR

**Article 6** To see if the town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum or sums of money to pay any unpaid bills of any prior fiscal year, or to take any other action related thereto.

**Board of Selectmen**

**MOVED:**                      **That the subject matter of Article 6 be indefinitely postponed.**

**FINANCE COMMITTEE VOTE:      7-0-0**

## ARTICLE 7

### **ADJUST FISCAL '13 ACCOUNTS**

**Article 7** To see if the town will vote to increase or decrease or otherwise adjust the appropriations heretofore made for the Fiscal Year 2013 beginning on July 1, 2012 and ending on June 30, 2013 and the revenues sources to meet those appropriations, as voted pursuant to Article 46 of the warrant for the 2012 Annual Town Meeting, and to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute to meet any such increases or adjustments, or to take any other action related thereto.

#### **Board of Selectmen**

**MOVED:** That the appropriations voted for the fiscal year beginning on July 1, 2012 and ending on June 30, 2013 pursuant to Article 46 of the warrant for the 2012 Annual Town Meeting be supplemented as follows:

#	BUDGET TO BE SUPPLEMENTED	ACCOUNT #	AMOUNT	REVISED BALANCE	SOURCE OF FUNDS
1	HISTORICAL COMMISSION	16912-52000	\$2,000	\$2,000	COMMISSION ON DISABILITIES
2	HISTORICAL COMMISSION	16912-52000	\$2,000	\$4,000	CAPITAL PLANNING COMMITTEE

**SUPPLEMENT 1 VOTE: 5-0-0**

**SUPPLEMENT 2 VOTE: 5-0-0**

## ARTICLE 8

### **TRANSFER UNEXPENDED PRIOR YEAR APPROPRIATIONS**

**Article 8** To see if the town will vote to transfer the unexpended balance of certain appropriations made under various articles in the warrants applicable to prior town meetings, to new purposes and uses, or to take any other action related thereto.

#### **Board of Selectmen**

**MOVED:** That the subject matter of Article 8 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 5-0-0**

## ARTICLE 9

### **AUTHORIZE CONTRACTS OF MORE THAN THREE YEARS DURATION**

**Article 9** To see if the town will vote, in accordance with the provisions of section twelve (b) of chapter thirty B, of the General Laws of the Commonwealth, to authorize the finance director (in his capacity as chief procurement officer) to solicit and award contracts for terms of more than three years, provided in each such instance the longer term is determined, prior to the solicitation, to be in the best interest of the town by a vote of the Board of Selectmen, or to take any other action related thereto.

#### **Board of Selectmen**



**MOVED:** That the Finance Director (in his capacity as Chief Procurement Officer) be authorized to solicit and award contracts for terms of more than three years but not more than five years, provided in each such instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen.

**FINANCE COMMITTEE VOTE: 7-0-0**

## ARTICLE 10

### ***AUTHORIZE CERTAIN REVOLVING FUNDS***

**Article 10** To see what revolving funds pursuant to c. 44, section 53E ½ of the General Laws of the Commonwealth the town will authorize or reauthorize, for various boards, commissions or departments of the town, for the fiscal year beginning July 1, 2013 and ending June 30, 2014, or to take any other action related thereto.

### **Board of Selectmen**

**MOVED:** That the following revolving funds are hereby established pursuant to the provisions of MGL chapter 44, section 53 E ½ for the 2013 Fiscal Year beginning July 1, 2013 through June 30, 2014.

<b>Revolving Fund #</b>	<b>Name of Revolving Fund</b>	<b>Spending Authority</b>	<b>Revenue Sources</b>	<b>Use of Funds</b>	<b>FY 14 Spending Limit</b>
1	Pequitside Farm Rentals	Conservation Commission	Rental of Pequitside Farm, Rental of Little Red House, Rental of Rooms in Main Building, Rental of Rooms in Tavern or any other portion of building or grounds.	Maintaining, improving & renovation of property, payment of salaries for time spent arranging rentals.	\$40,000 annually
2	Veteran's Services Special Revenues	Veterans' Services Director	Contributions, Donations, Gifts, Grants.	Providing services to veterans not funded under established program, including but not limited to newsletter publication, monthly breakfasts, funeral services, other commemorative programs and other purposes in the opinion of the Veterans' Director in the best interests of Canton Veterans.	\$60,000 annually
3	Fire Alarm Relocation	Fire Chief	Fees received by it from, or on behalf of Commonwealth, any public utility, any other business entity, or any individual person.	Payment of bills and charges incurred in connection with relocation of fire alarm signal wires, devices & other appurtenances.	\$20,000 annually

<b>Revolving Fund #</b>	<b>Name of Revolving Fund</b>	<b>Spending Authority</b>	<b>Revenue Sources</b>	<b>Use of Funds</b>	<b>FY 14 Spending Limit</b>
4	COA Transportation Fund	Council on Aging	Donations received for providing transportation services.	Payment of bills and charges in connection with transportation of elderly.	\$25,000 annually
5	Board of Health Special Revenues	Board of Health	Contributions, donations, gifts, grants, reimbursements.	Providing services to Canton citizens not otherwise funded under established program, including but not limited to flu vaccinations, child and teenage health education & development programs and elderly health programs.	\$15,000 annually
6	Animal Control Special Revenues	Animal Control Officer	Adoption and boarding fees.	Payment for veterinary services and payments to Animal Control Officer.	\$40,000 annually
7	Library Building Rentals	Board of Library Trustees	Fees for rental and use of Community or other assembly rooms used for meetings, programs or other events, including payments for use of facilities and conveniences in conjunction with use of spaces, as may be established by the Board of Library Trustees.	Paying bills, connected with the providing of maintenance and supply of facilities and for the support and safe conduct of said programs and events.	\$30,000 annually
8	Student Parking Fees	School Committee	Fees paid by students to park their vehicles at Canton High School.	Payment of bills and charges to maintain the high school parking lots and grounds.	\$75,000 annually
9	Greenlodge Street Parking Fees	Board of Selectmen	Fees paid by residents and non-residents to park their vehicles along Greenlodge Street.	Payment of bills and charges to maintain the program with \$35,000 to be transferred to General Fund.	\$75,000 annually
10	Beautification Fund	Beautification Committee	Fees received from the sale of bricks.	Payment of services required to install bricks and for other beautification projects.	\$10,000 annually
11	Library Revolving Fund	Board of Library Trustees	Fees received for processing passport applications, loss, damage or late return of borrowed materials,	Payment of bills and charges for processing passport applications, purchasing books and other library	\$40,000 annually

Revolving Fund #	Name of Revolving Fund	Spending Authority	Revenue Sources	Use of Funds	FY 14 Spending Limit
			replacement of borrower cards, or any other such fees as may be established by the Board of Library Trustees, for the purpose of and consistent with maintaining a fair and efficient library loan system.	materials for public loan.	
12	Soil Erosion and Sediment Control Fund	Conservation Commission	Fees received for permits and certificates of compliance under Article XX (20) of the Town General By-Laws.	Payment of bills and charges to process permits and certificates of compliance under Article XX (20) of the Town General By-Laws.	\$30,000 annually
13	Youth Commission Fund	Youth Commission	Donations.	Payment of scholarships and other expenses related to youth activities.	\$10,000 annually

**FINANCE COMMITTEE VOTE: 7-0-0**

## ARTICLE 14

### ***AMEND ZONING BY-LAWS TO REVISE, UPDATE AND CORRECT SPELLING, GRAMMAR AND ANY OTHER ADMINISTRATIVE ERRORS.***

**Article 14** To see if the Town will vote to amend and revise in its entirety the Zoning By-Law to correct spelling and grammar errors and to delete any duplications, which corrections are on file with and available for public review at the offices of the Planning Board, Town Clerk and Board of Selectmen, the research desk of the Canton Public Library and on the Town website, provided said corrections do not substantively change the meaning or application of any by-laws or provisions therein; or to take any other action in relation thereto.

#### **Planning Board**

#### **FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

#### **PLANNING BOARD MOTION:**

**MOVED:** That the Zoning By-law be amended and revised in its entirety to correct spelling and grammar errors and to delete any duplications all as set forth in the Warrant and as on file at the offices of the Planning Board, Town Clerk and Board of Selectmen, the research desk of the Canton Public Library and on the Town website, provided said corrections do not substantively change the meaning or application of any provision of the Zoning By-law.

**PLANNING BOARD VOTE: 4-0-0**

## ARTICLE 28

### ***ACCEPT FUNDS HELD IN ESCROW REGARDING KNOB HILL***

**Article 28** To see if the Town will vote to accept and appropriate funds held in escrow as surety for the construction of ways and installation of municipal services at Knob Hill; to transfer such funds to the Town of Canton Planning Board for the Planning Board to implement and oversee such construction of ways and installation of municipal services at Knob Hill and the completion of any related work, grading and other improvements thereat; or to take any other action related thereto.

#### **Board of Selectmen for the Planning Board**

#### **FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

#### **PLANNING BOARD MOTION:**

**MOVED:** To accept and appropriate certain funds totaling approximately One Hundred Eleven Thousand Dollars (\$111,000) that are held in escrow as surety for the construction of ways and installation of municipal services at the Knob Hill subdivision and to transfer such funds to the Town of Canton Planning Board to implement and oversee such construction of ways and installation of municipal services and the completion of any related work, grading and other improvements.

**PLANNING BOARD VOTE: 4-0-0**

## ARTICLE 31

### ***AMEND GENERAL BY-LAWS, Article XIV (Police Regulations: Sections 39/39A) Regulation of Dogs***

**Article 31** To see if the Town will vote to amend Article XIV of the General By-laws as follows, or to take any other action related thereto:

By deleting Section 39, Section 1(1), first paragraph and replacing it with the following:

(1) License Fee-All fees for dog licenses and kennel licenses, fines and penalties shall be set by the Town Clerk, however, no fee shall increase without a majority vote of the voters present at a Town Meeting.

And by deleting Section 39, Section 3, Section 4 and Section 5, replacing them with the following and renumbering the following sections appropriately:

#### **Section 3: Definitions**

For the purposes of this Section 3 and Section 4, the following terms shall be defined as follows:

"Animal control officer", an appointed officer authorized to enforce General Laws chapter 140, sections 136A to 174E, inclusive.

"Attack", aggressive physical contact initiated by an animal.

"Dangerous dog", a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

"Hearing authority", the Board of Selectmen.

"Licensing authority", the Town Clerk.

"Nuisance dog", a dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.

#### Section 4

(a) Any person may file a complaint in writing to the hearing authority that a dog owned or kept in the Town is a nuisance dog or a dangerous dog; provided, however, that no dog shall be deemed dangerous: (i) solely based upon growling or barking or solely growling and barking; (ii) based upon the breed of the dog; or (iii) if the dog was reacting to another animal or to a person and the dog's reaction was not grossly disproportionate to any of the following circumstances:

- (1) the dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;
- (2) the person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;
- (3) the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog; or
- (4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

The hearing authority shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or a dangerous dog. Based on credible evidence and testimony presented at the public hearing, the hearing authority shall: (i) if the dog is complained of as a nuisance dog, either dismiss the complaint or deem the dog a nuisance dog; or (ii) if the dog is complained of as a dangerous dog: (A) dismiss the complaint; (B) deem the dog a nuisance dog; or (C) deem the dog a dangerous dog.

(b) If the hearing authority deems a dog a nuisance dog, the hearing authority may further order that the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.

(c) If the hearing authority deems a dog a dangerous dog, the hearing authority shall order 1 or more of the following:

(i) that the dog be humanely restrained; provided, however, that no order shall provide that a dog deemed dangerous be chained, tethered or otherwise tied to an inanimate object including, but not limited to, a tree, post or building;

(ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;

(iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;

(iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance;

(v) that the owner or keeper of the dog provide to the licensing authority or animal control officer or other entity identified in the order, information by which a dog may be identified, throughout its lifetime including, but not limited to, photographs, videos, veterinary examination, tattooing or microchip implantations or a combination of any such methods of identification;

(vi) that unless an owner or keeper of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner or keeper of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact; or

(vii) that the dog be humanely euthanized.

No order shall be issued directing that a dog deemed dangerous shall be removed from the Town. The Town shall not regulate dogs in a manner that is specific to breed.

(d) Within 10 days after an order issued under subsections (a) to (c), inclusive, the owner or keeper of a dog may bring a petition in the district court within the judicial district in which the order relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court. After notice to all parties, the magistrate shall, under section 62C of chapter 221 of the General Laws, review the order of the hearing authority, hear the witnesses and affirm the order unless it shall appear that it was made without proper cause or in bad faith, in which case the order shall be reversed. A party shall have the right to request a de novo hearing on the complaint before a justice of the court.

(e)(1) Pending an appeal by an owner or keeper under subsection (d), the hearing authority may file a petition in the district court to request an order of impoundment at a facility the Town uses to shelter animals for a dog complained of as being a dangerous dog. The Town shall not incur liability for failure to request impoundment of a dog under this subsection.

(2) A justice of a district court, upon probable cause to believe that a dog is a dangerous dog or that a dog is being kept in violation of this section or in violation of an order issued under this section by a hearing authority or a court, may issue an

order: (i) of restraint; (ii) of confinement of the dog as considered necessary for the safety of other animals and the public; provided, however, that if an order of confinement is issued, the person to whom the order is issued shall confine the dog in accordance with clause (ii) of subsection (c); or (iii) of impoundment in a humane place of detention that the Town uses to shelter animals; or (iv) any other action as the court deems necessary to protect other animals and the public from the dog.

(f) A justice of the district court shall hear, de novo, an appeal filed under subsection (d). Based upon credible evidence and testimony presented at trial, the court shall, whether the dog was initially complained of as a nuisance dog or as a dangerous dog: (i) dismiss the complaint; (ii) deem the dog a nuisance dog; or (iii) deem the dog a dangerous dog. The decision of the court shall be final and conclusive upon the parties.

(g) If a court affirms an order of euthanasia, the owner or keeper of the dog shall reimburse the Town for all reasonable costs incurred for the housing and care of such dog during its impoundment and throughout the appeals process, if any. Unpaid costs shall be recovered by the Town on behalf of the hearing authority by any of the following methods: (i) a lien on any property owned by the owner or keeper of the dog; (ii) an additional, earmarked charge to appear on the vehicle excise of the owner or keeper of the dog; or (iii) a direct bill sent to the owner or keeper of the dog.

All funds recovered by the Town under this subsection shall be transferred to the organization or entity charged with the responsibility of handling dog complaints and impoundment. If the organization or entity falls under the management or direction of the Town, costs recovered shall be distributed at the discretion of the Town.

If the court overturns an order of euthanasia, the Town shall pay all reasonable costs incurred for the housing and care of the dog during any period of impoundment.

(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the hearing authority, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the licensing authority the license and tags in the person's possession, if any, and the owner or keeper shall be prohibited from licensing a dog within the commonwealth for 5 years. A hearing authority that determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section shall report such violations to the issuing licensing authority within 30 days.

(i) Orders issued by a hearing authority shall be valid throughout the commonwealth unless overturned under subsection (d) or (f).

And by deleting Section 39A, Regulation of Pit Bulls, in its entirety.

### **Board of Selectmen**

**MOVED: That Article XIV of the General By-laws be amended as set forth in the Warrant and by deleting Section 39A, Regulation of Pit Bulls, in its entirety.**

**FINANCE COMMITTEE VOTE: 7-0-0**

## ARTICLE 38

### ***INSURANCE PROCEEDS***

**Article 38** To see whether the Town will vote to appropriate all sums over \$20,000 recovered under the terms of any insurance policy and any other insurance proceeds paid to the Town in connection with any losses suffered by the Town, or to take any other action related thereto.

#### **Board of Selectmen**

**MOVED:** That the subject matter of Article 38 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

## ARTICLE 39

### ***VOTE TO RESCIND UNUSED BORROWING AUTHORIZATIONS***

**Article 39** To see if the town will vote to rescind unused borrowing authorizations previously voted by the town, or to take any other action related thereto.

#### **Board of Selectmen**

**MOVED:** That the subject matter of Article 39 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

## ARTICLE 19

### ***AMEND ZONING BY-LAW BY ADDING "PRIORITY REVITALIZATION AREA C" TO SECTION 9.8 (CANTON CENTER ECONOMIC OPPORTUNITY DISTRICT BY-LAW)***

**ARTICLE 19** To see if the Town will vote to amend the Zoning By-Law by adding a Priority Revitalization Area C to Section 9.8 as follows:

Item 1. Delete Sections 9.8 and 9.8.1 and replace them with new Sections 9.8 and 9.8.1, as follows:

#### **9.8 Canton Center Economic Opportunity District By-law (CCEOD)**

**9.8.1 Subdistricts.** The CCEOD is divided into three separate and distinct subdistricts of Canton Center as follows:

**Priority Revitalization Area "A":** That area of Canton Center that runs (1) along Washington Street from Neponset Street to Sherman Street, a distance of approximately 2000 linear feet and (2) that area zoned 'Industrial' that runs along Pequit Street in the vicinity of Washington Street, to the Northern border of the district.

**Priority Revitalization Area "B":** That area of Canton Center that runs (1) along Washington Street from Sherman Street to Lewis Street, a distance of approximately 1000 linear feet, but excluding (2) that area of land designated



as "Industrial" that runs along Pequit Street in the vicinity of Washington Street to the Northern border of the District.

**Priority Revitalization Area "C":** That area of Canton Center that runs along Revere Street from the boundary of Priority Revitalization Area "A" to the intersection of the railroad bridge/tracks and Revere Street, a distance of approximately 2,900 linear feet.

Priority Revitalization Areas "A" and "B" are shown on a map entitled "Canton Center Economic Opportunity District (Priority Revitalization Area "A" and Priority Revitalization Area "B")" prepared by the Canton Planning Department and dated December 20, 2004.

Priority Revitalization Area "C" is shown on a map entitled "Canton Center Economic Opportunity District (Priority Revitalization Area "C")" dated January 7, 2013, attached to this Article as Exhibit A.

The maps described immediately above are hereby incorporated by reference in this Section 9.8.

Item 2. Add the following new sections immediately after Section 9.8.33:

**9.8.34 Priority Revitalization Area "C"; Purpose.**

The benefits described in this Section 9.8.34 shall apply only to those parcels located entirely within the boundary of the Priority Revitalization Area "C". Priority Revitalization Area "C" is established for the accomplishment of the following purposes:

1. To promote the economic health and stability of the Town by encouraging development and economic investment in Canton.
2. To provide additional planning flexibility for projects located in and near Canton Center, including enhancing the coordination of the project with the environmental and natural features of the development site.
3. To permit mixed-use development, including but not limited to, Multi-family Dwellings, Senior Housing, Nursing and Convalescent Homes, offices, retail shops.
4. To permit the use of new development standards, which will promote the desired changes in and near Canton Center.
5. To enable the Special Permit Granting Authority (SPGA) to require adherence to "Site Development and Use Plans" in the granting of a special permit.
6. To provide for development in a manner that strives to create a harmony between residential and non-residential neighborhoods, protects existing abutting neighborhoods, and minimizes the development impact on nearby neighborhoods, while striving to conserve and enhance environmental features, woodlands, wet areas, the Canton River, open spaces and areas of scenic views, beauty, and vistas such as, for example, the Viaduct.

**9.8.35. Priority Revitalization Area "C"; Definitions. For the special purposes of Priority Revitalization Area "C", the following words and phrases shall have the meaning hereinafter indicated.**

**Applicant:** The person or legal entity that applies for issuance of a special permit for construction of a Project to be developed pursuant to the Priority Revitalization Area "C" overlay regulations.

**Buildable Lot Area:** The area of a Lot excluding any land defined as a Resource Area.

**Buildable Lot:** A single contiguous tract of land including at least the minimum amount of Buildable Lot Area required herein and located entirely within a Development Parcel and Priority Revitalization Area "C".

**Common Open Land:** Any area of land containing no building, structure, parking areas, driveways or roadways other than those structures and/or facilities which are used for recreational and/or community use by the occupants of a Development Parcel.

**Community Center:** A building or portion thereof that provides a gathering place available to occupants of a Development Parcel to meet.

**Development Parcel:** One or more Lots within Priority Revitalization Area "C" which are designated as a Development Parcel on a Site Development and Use Plan. The Lots comprising a Development Parcel need not be in the same ownership. Where the Development Parcel consists of more than a single Lot, the Lots, in combination, shall be treated as the Development Parcel, may be contiguous or non-contiguous, and shall be considered one Development Parcel.

**Development Schedule:** A schedule showing the order and timing of construction and the sequence of the improvements to be built or finished in the Priority Revitalization Area "C" Development Parcel, separated into stages where applicable.

**Lot:** A single contiguous tract of land located entirely within a Development Parcel and Priority Revitalization Area "C".

**Master Plan and Impact Plan and Report:** A plan and report required to be prepared by an Applicant which is intended to provide an overview of the proposed development of a Development Parcel in order to reasonably allow an assessment by the SPGA of the probable municipal and environmental impacts of the overall development of the Development Parcel. In any Project for which an environmental impact report is required under Massachusetts General Laws c. 30, Sections 61-62H, the submission to the SPGA of a copy of such report shall satisfy this requirement as to environmental impacts, including without limitation, as to impact on water quality, pollution of groundwater, damage or threat to wetlands, flood plains, and plants and animals.

**Mixed-Use Development:** A development that contains both residential and non-residential development.

**Nursing or Convalescent Home:** A Nursing or Convalescent Home shall have the meaning as set forth in Section 11 of this Zoning By-law, it being deemed to include, without limitation, a skilled or intermediate care nursing facility or rest or convalescent home, as defined under Massachusetts General Laws c. 111 and an assisted living facility as defined under Massachusetts General Laws c. 19D.

**Project:** A residential, commercial or mixed-use development for which a special permit is sought pursuant to the Priority Revitalization Area "C" overlay

regulations and which is identified and described on a Site Development and Use Plan.

**Regulations:** The applicable rules and regulations of the Board of Appeals relative to Special Permits and the rules, regulations, standards and criteria applicable to Projects within the Priority Revitalization Area "C".

**Research & Development:** A company that conducts research and development.

**Resource Area:** All land subject to jurisdiction under 310 CMR 10.02(1)(a) and (b) (which shall in no event include land subject to flooding or riverfront area)

**Revere Street Sub-Area:** The land area shown on Assessors Map 26, Lot 111 in Priority Revitalization Area "C".

**Small-Scale Retail:** Retail stores with a gross floor area of 10,000 square feet or less.

**Senior Housing:** Housing facilities (including, without limitation, independent or congregate facilities) restricted for individuals fifty-five (55) years of age or older as allowed under Massachusetts General Laws c. 151B or any other state or federal law.

**Site Development and Use Plan:** A plan endorsed for approval by the SPGA for the development and use of a Project within a Development Parcel within the Priority Revitalization Area "C" pursuant to the special permit process for such Project.

**Upland Acres:** Land area not in a Resource Area.

All words and phrases used in Sections 9.8. 34 through 9.8.47 and not defined in the provisions of this Zoning By-law related to the Priority Revitalization Area "C" shall have the meanings ascribed to them elsewhere in this Zoning By-law.

### **9.8.36 Priority Revitalization Area "C"; Master Plan and Report.**

In addition to the requirements of Section 10.4 of the Zoning By-law for submission of a special permit application, the Applicant will prepare a Master Plan and Impact Plan and Report addressing environmental issues, including without limitation water quality, pollution of groundwater, damage, or threat to wetlands, flood plains, and plants and animals and the municipal impacts associated with the Project. The Applicant will also prepare a Site Plan in conformity with the SPGA rules governing special permits, a Site Development and Use Plan which shall be endorsed for approval by the SPGA, and a Development Schedule.

### **9.8.37 Priority Revitalization Area "C"; Scope of Authority**

The provisions related to the Priority Revitalization Area "C" shall not restrict the landowner's rights relative to the underlying zoning district in which said land lies and a landowner shall have the right to obtain approvals for a project based on the requirements of such underlying zoning district without regard to the special provisions applicable to the Priority Revitalization Area "C" overlay. However, if the landowner elects to apply for a special permit as a Project under the provisions hereof applicable to Priority Revitalization Area "C", the development shall conform to the requirements for the issuance of any such special permit applicable thereto under these overlay provisions.

If the landowner elects to pursue a development plan in conformance with the requirements applicable to Priority Revitalization Area "C" on a portion of a single contiguous tract of land the entire contiguous tract of land shall conform to the objectives, standards, and criteria specified for a Project within the Priority Revitalization Area "C" and the landowner shall be prohibited from filing a development plan in conformance with the requirements of the underlying zoning district on any portion of such a contiguous tract of land.

#### **9.8.38 Priority Revitalization Area "C"; Special Permit Granting Authority**

The Board of Appeals is hereby designated as the Special Permit Granting Authority (SPGA) for all purposes with respect to Projects within the Priority Revitalization Area "C". All special permit applications for Projects within Priority Revitalization Area "C" shall conform to the standards and criteria set forth herein with respect to Priority Revitalization Area "C" and the Board of Appeals' Rules and Regulations governing the administration of applications for special permits.

In addition to determining that the criteria for grant of a special permit stated in Section 10.4.2 of this Zoning By-law have been satisfied, the SPGA shall grant a special permit pursuant to the provisions hereof applicable to Projects within the Priority Revitalization Area "C" only if the SPGA finds that the adverse impacts of the Project will be outweighed by the mitigation to be provided by the Applicant, including without limitation any mitigation and/or other benefits to be provided to the Town by the Applicant pursuant to any development agreement between the Applicant and the Town.

As to any Project pursued under the provisions applicable to the Priority Revitalization Area "C" overlay hereunder, no building shall be constructed or externally enlarged, and no use shall be expanded in ground area, or established in an existing building except in conformity with a Site Development and Use Plan that bears the endorsement of approval by the SPGA. Requirements and Procedures for approval shall be in accordance with Sec. 6.6 of this Zoning By-law ("Performance Standards").

In the event of damage or destruction to any buildings or structures originally constructed pursuant to a special permit and Site Development and Use Plan issued hereunder, such buildings and structures may be rebuilt and restored consistent with the original special permit and Site Development and Use Plan without the requirement of obtaining a new special permit or Site Development and Use Plan from the SPGA.

The SPGA may require issuance of a reasonable bond as a guaranty for any open space and recreation improvements required by the approved Site Development and Use Plan.

The SPGA is authorized to issue a special permit hereunder in which it may modify and/or waive any of the Regulations applicable to any Project in Priority Revitalization Area "C" with the exception of those relative to use and dimensions, upon making a finding that such waiver shall better serve the purposes of the Priority Revitalization Area "C".

#### **9.8.39 Priority Revitalization Area "C"; Uses Permitted by Special Permit.**

Within Priority Revitalization Area "C", the SPGA may issue a special permit for the following uses:

**A. Residential Uses, including, but not necessarily limited to, the following:**

1. Multi-family Dwellings, whether for sale or for lease, including, without limitation, Townhouse style dwellings and ancillary facilities and amenities.
2. Senior Housing and ancillary facilities and amenities.
3. Nursing and Convalescent Homes and ancillary facilities and amenities.
4. Accessory structure (whether at, below or above grade) and surface parking.
5. All other residential uses allowed by right or by special permit in the underlying zoning district.

**B. Non-Residential Uses, including, but not necessarily limited to, the following:**

1. Small-scale retail stores.
2. Offices including salesrooms and showrooms, consumer service establishments, business and professional offices, executive and administrative offices, banks and other institutions.
3. A restaurant with the conditions that any bar or cocktail lounge be located within the restaurant and shall be solely for the purpose of servicing luncheon or dinner customers and not to comprise more than twenty-five percent (25%) of the floor area of the restaurant.
4. Bank or similar financial institution, including drive-through facilities.
5. Research & Development.
6. Accessory structure (whether at, below or above grade) and surface parking.
7. All uses allowed by right or by special permit in the underlying zoning district.

**C. The following uses are specifically excluded within Priority Revitalization Area "C":**

1. Fast food establishments.
2. Drive-through for the sale of food. Any other drive-through, with the exception of banks and financial institutions noted above, shall require a separate special permit from the SPGA in addition to the special permit for the Priority Revitalization Area "C".

**D.** For Projects developed in the Priority Revitalization Area "C" there shall be no non-resident deliveries or shipments between 10 pm and 7:00 a.m. Monday through Friday; and there shall be no non-resident deliveries or shipments between 10 pm and 8:00 a.m. on weekends.

No building or structure developed in the Priority Revitalization Area "C" under the provisions of this overlay (as opposed to the provisions of the underlying zoning district) shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, for any purpose other than for one or more of the uses herein set forth as permissible by special permit.

#### **9.8.40 Priority Revitalization Area "C"; Standards and Criteria.**

##### **A. Minimum Development Size**

###### **1. Lot Requirements:**

*a. The minimum Lot size is 10,000 sq. ft. of Buildable Lot Area.*

*b. No portion of a public way or public street, as defined by this Zoning By-law may be included in computing the minimum required Buildable Lot Area.*

###### **2. Development Parcel Requirements:**

*a. The minimum Development Parcel size is twenty-five (25) acres of Buildable Lot Area, except that in the Revere Street Sub-Area the minimum Development Parcel size is two (2) acres of Buildable Lot Area.*

*b. No portion of a public way or public street, as defined by this Zoning By-law may be included in computing the minimum required Buildable Lot Area.*

##### **B. Building Coverage:**

###### **Development Parcel Requirements:**

*No building shall be constructed so as to cover, together with any other building on the Development Parcel, more than thirty percent (30%) of the Buildable Lot Area.*

## **C. Minimum Frontage and Access:**

Development Parcel Requirements:

- a. Each Development Parcel shall have a minimum frontage of two hundred and fifty (250) feet on a street and at least two means of ingress/egress.*
- b. Each means of required ingress/egress shall have a paved width of no less than twenty-four (24) feet.*

### **9.8.41 Priority Revitalization Area "C"; Density**

As to a Project within the Priority Revitalization Area "C", no building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, which exceeds the densities specified below for residential and non-residential uses. Further, the intent of the allowable densities in this Section 9.8.41 is to provide flexibility for Projects. The specified densities are maximums for each individual type of use as if only that use is being proposed. Where a Project includes a mix of uses, the maximum specified densities cannot be aggregated.

#### **A. Residential Uses**

Maximum permissible densities are as follows:

1. Multi-family Dwellings including, without limitation, Townhouse style dwellings and ancillary facilities and amenities:

One dwelling unit per 2,600 square feet of Buildable Lot Area or portion thereof.

2. Senior Housing and ancillary facilities and amenities:

One dwelling unit per 2,600 square feet of Buildable Lot Area or portion thereof.

3. Nursing and Convalescent Home and ancillary facilities and amenities:

One sleeping room per 1,200 square feet

4. To the extent at least twenty percent (20%) of the total residential units in a Project are Senior Housing units, Nursing Home or Convalescent Home sleeping rooms, the density for the uses in the Project may be increased by up to 16% from that otherwise permitted in this Zoning By-law.

#### **B. Non-Residential Uses**

Maximum permissible density is as follows:

Five thousand (5,000) gross square feet-of non-residential floor area per 10,000 square feet of Buildable Lot Area or portion thereof.

For the purpose of this section, "gross square feet of non-residential floor area" means the total non-residential floor area contained within exterior walls but does not include basement or space used for heating and utilities

or other mechanical uses for the building, storage or for automobile parking.

#### **9.8.42 Priority Revitalization Area "C"; Setbacks and Yard Regulations for Buildings.**

For Projects within Priority Revitalization Area "C"; no building shall be constructed so as to be nearer to any Lot line than as specified below:

##### **A. Development Parcel**

Each Development Parcel shall have a front yard setback distance of not less than twenty (20) feet and a side yard setback of not less than fifteen (15) feet from the nearest point of any exterior wall of a building, except that if the side yard abuts a residential district or a building used primarily for residential purposes, a side yard setback of not less than twenty (20) feet from the nearest point of any exterior wall of the building is required; and except that if the side yard abuts land owned by the Town, or the Canton River Dam Diversion Channel, or the Plymouth Rubber Company triple drainage culvert, such side yard shall not be required to be more than five (5) feet.

1. Each Development Parcel shall have a rear yard setback of not less than twenty-five (25) feet, except that if the rear yard abuts land owned by the Town, or the Canton River Dam Diversion Channel, or the Plymouth Rubber Company triple drainage culvert, such rear yard shall not be required to be more than five (5) feet.

##### **B. Buildable Lot**

Each Lot shall have a setback distance of not less than fifteen (15) feet from the nearest point of any exterior wall of the building to any non-permeable surface including but not limited to public ways or private ways, but excluding driveways, walkways, or parking areas. No part of any building shall be located less than fifteen (15) feet from any front, side or rear lot line, except that if a front, side or rear yard abuts land owned by the Town, or the Canton River dam diversion channel, or the Plymouth Rubber drainage triple drainage culvert, such front, side or rear yard shall not be required to be more than five (5) feet.

##### **C. Additional Setback Regulations**

- a. The SPGA may reduce the setback distance where appropriate because of specific physical circumstances, such as irregular lot lines or other natural features that create open space or buffers.
- b. No storage or display of goods, products, materials or equipment, vending machines or similar commercial devices shall be allowed within the required front or side yard setback.
- c. No Lot on which a building is located shall be reduced or changed in size or shape so that the building or Lot fails to comply with the Buildable Lot Area, frontage, building coverage, yard setback, or other dimensional provisions, of this Section.



### **9.8.43 Priority Revitalization Area "C"; Height Regulations.**

No building in a Project within the Priority Revitalization Area "C" shall be constructed to exceed a total of four (4) stories, not including the basement or parking areas under the building.

### **9.8.44 Common Open Land, Community Center.**

#### **A. Common Open Land:**

Except for a Project within the Revere Street Sub-Area, each Project undertaken pursuant to the Priority Revitalization Area "C" overlay regulations shall have a minimum of twenty-five percent (25%) of its Buildable Lot Area within the Development Parcel designated as Common Open Land for use by the occupants of the Development Parcel.

#### **B. Community Center:**

Except for a Project within the Revere Street Sub-Area, as part of a Site Development and Use Plan, a Project undertaken pursuant to the Priority Revitalization Area "C" overlay regulations shall have a Community Center for use by the occupants of the Development Parcel.

#### **C. Public Access:**

Except for a Project within the Revere Street Sub-Area, as part of a Site Development and Use Plan, a Project undertaken pursuant to the Priority Revitalization Area "C" overlay regulations shall provide pedestrian access walkways to and from natural resource areas within the Development Parcel within an area or areas to be designated by the Applicant and shown on the Site Development and Use Plan.

### **9.8.45 Priority Revitalization Area "C"; Parking and Loading Requirements.**

For each Project undertaken pursuant to the Priority Revitalization Area "C" overlay regulations there shall be provided and maintained improved off-street automobile parking in connection with the erection, establishment or increase in units or dimensions of buildings, structures and uses, in the following amounts:

- A. For dwelling units: 1.5 parking spaces per each dwelling unit, except for Senior Housing units which require 1 parking space per unit.
- B. For Nursing and Convalescent Homes: one (1) parking space for every three (3) sleeping rooms.
- C. For restaurants and other on premises eating and drinking establishments: not less than one (1) parking space for each three (3) seats, plus one (1) parking space for every three (3) employees on the largest shift, subject to the discretion of the SPGA to allow less parking spaces. Where benches are used, not less than one (1) parking space for each six (6) feet of bench, subject to the discretion of the SPGA to allow less parking spaces.
- D. For retail stores and offices including salesrooms and showrooms, consumer service establishments, public administration buildings, business and professional offices, executive and administrative

offices, banks and other financial institutions: one (1) parking space for each two hundred fifty (250) square feet of gross floor area. For the purpose of this section, "gross floor area" means the total floor area contained within exterior walls, but does not include basement space or space used for heating and utilities or other mechanical equipment, storage or for automobile parking.

- E. Uses not listed in this Section 9.8.45 Parking Requirements, Subsections (A), (B), (C) or (D) shall comply with the parking space requirements of the Zoning By-law Section 4.0 Off-Street Parking.
- F. In the case of mixed-use projects, the parking spaces required shall be the sum of the requirements for the various individual uses, computed separately in accordance with this section. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use unless it can be clearly demonstrated to the SPGA that the need for parking occurs at different times.
- G. Off-street automobile parking spaces, to the extent required in this section, may be provided either on the same Lot or premises with the parking generator or on any Lot or premises under common ownership or control a substantial portion of which must be within three hundred (300) feet of the generator.
- H. Off-street parking facilities and connecting drives between such facilities and the street shall be designed to insure the safety and convenience of persons traveling within or through the parking area, and between the parking facility and the street. The provisions of Section 6.6 of this Zoning By-law ("Performance Standards") Design Standards shall be considered the minimum criteria for evaluating such design.
- I. In addition to the requirements for automobile parking spaces there shall also be provided for each building or group of buildings sufficient off-street loading space to insure that all loading operations take place off of the public way. Loading spaces and access drives leading to loading spaces shall be so designed that vehicles to be loaded or unloaded are not required to maneuver in the public way to enter or leave the designated loading area. The provisions of Section 6.6 of this Zoning By-law (Loading Areas) shall be considered the minimum criteria for evaluating such design.

#### **9.8.46 Priority Revitalization Area "C"; Signs.**

The provisions of Section 4.1 of this Zoning By-law (Signs and Advertising devices) is hereby adopted for the regulation and restriction of billboards, signs and other advertising devices within Priority Revitalization Area "C".

### **9.8.47 Priority Revitalization Area "C"; Certified Acoustical Barriers.**

Except for demolition, renovation or repair of existing buildings and structures and construction new buildings and structures, no activity or use within a Development Parcel developed pursuant to the Priority Revitalization Area "C" overlay regulations shall be allowed which causes exterior noise levels to exceed a day-night average sound level of 65 decibels (65 L dn) at the Lot line; no dwelling unit shall be located where exterior noise levels exceed a day-night average sound level of 65 decibels (65 L dn); and no dwelling unit shall be constructed which allows interior noise levels to exceed a day-night average sound level of 45 decibels (45 L dn). The day-night average sound level (L dn) is the 24-hour average sound level, in decibels, resulting from the accumulation of noise from all sources contributing to the external noise environment of the site with 10 decibels added to sound levels occurring from 10:00 AM to 7:00 PM. The day-night average sound level (L dn) shall be determined in accordance with The Code of Federal Regulations, Title 24-Housing and Urban Development, Part 51 Environmental Criteria and Standards (24 CFR 51).

**Petition by for Attorney Paul Schneiders and 14 others**

#### **FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

#### **PLANNING BOARD MOTION:**

**MOVED:** That the subject matter of Article 19 be indefinitely postponed.

**PLANNING BOARD VOTE: 4-0-0**

Attorney Paul Schneiders, sponsor of the article, moved that Article 19 be withdrawn without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

Mr. Schneiders stated that the proponents hope to "have something in the fall so that we can do something with that forty acres" on the Plymouth Rubber site.

**VOTED:** That Article 19 be **withdrawn** by the proponents without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

**ADOPTED UNANIMOUS VOICE VOTE**

## **ARTICLE 20**

### **AMEND ZONING MAP BY PLACING PARCELS ALONG REVERE STREET AND NEPONSET STREET IN THE CANTON CENTER ECONOMIC OPPORTUNITY DISTRICT (PRIORITY REVITALIZATION AREA "C")**

**Article 20** To see if the Town will vote to amend the Town's Zoning Map, as most recently amended, by placing parcels of land located along Revere Street and Neponset Street within the Canton Center Economic Opportunity District (Priority Revitalization Area "C") and the Revere Street Sub-Area, as established by vote under Article 19 of this Town Meeting Warrant or take any other action in relation thereto.

Said parcels of land are described in the Board of Assessor's Maps on Map 26 as Lots 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 87, 88, 89, 90, 91, 92, 93, 222, and 111; and on Map 14 as Lots 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131 and 132; and on Map 15 as Lots 80, 81, 82, 83, 84, 85 and 86.

The parcel of land shown on Map 26 as Lot 111 constitutes the Revere Street Sub Area.

**Petition by for Attorney Paul Schneiders and 14 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the subject matter of Article 20 be indefinitely postponed.

**PLANNING BOARD VOTE: 4-0-0**

Attorney Paul Schneiders, sponsor of the article, moved that Article 20 be withdrawn without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

Mr. Schneiders explained that Article 20 would have created a new district for the forty acres on Revere Street (Plymouth Rubber) and this article would place a number of parcels into that district.

**VOTED:** That Article 20 be **withdrawn** by the proponents without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

**ADOPTED UNANIMOUS VOICE VOTE**

**ARTICLE 21**

**AMEND ZONING MAP BY CHANGING DESIGNATION OF PORTION OF LAND (APPROX. 0.14 ACRES) ON ROYAL LANE FROM SINGLE RESIDENCE AA TO LIMITED INDUSTRIAL**

**Article 21** To see if the Town will vote to amend the town's zoning map, as most recently amended, by changing the designation of a portion of land, approximately 1.4 acres in size, located on Royal Lane from Single Residence AA to Limited Industrial. Said parcel is shown on a plan of land entitled. "Plan of Land, Canton, Massachusetts", dated April 23, 1968 (revised October 17, 1968), Harry R. Feldman, Inc., Surveyors, recorded with the Norfolk Registry of Deeds Plan Book 225, Plan 904, and bounded and described according to said Plan as follows:

**EASTERLY and SOUTHEASTERLY:** by the center line of Royal Lane approximately three hundred thirteen (313) feet

**SOUTHWESTERLY:** by a line across the end of Royal Lane twenty (20) feet;

NORTHWESTERLY and WESTERLY: by the side of Royal Lane two hundred eighty-one and 06/100 (281.06) feet; and

NORTHERLY: by Royall Street twenty (20) feet.

or take any other action in relation thereto.

**Petition by for Attorney Paul Schneiders and 12 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the Town's Zoning Map, as most recently amended, be amended by changing the designation of a portion of land, approximately 0.14 acres in size, located on Royal Lane from Single Residence AA to Limited Industrial. Said parcel is shown on a plan of land entitled. "Plan of Land, Canton, Massachusetts", dated April 23, 1968 (revised October 17, 1968), Harry R. Feldman, Inc., Surveyors, recorded with the Norfolk Registry of Deeds Plan Book 225, Plan 904, and bounded and described according to said Plan as follows:

**EASTERLY and SOUTHEASTERLY:** by the center line of Royal Lane approximately three hundred thirteen (313) feet

**SOUTHWESTERLY:** by a line across the end of Royal Lane twenty (20) feet;

**NORTHWESTERLY and WESTERLY:** by the side of Royal Lane two hundred eighty-one and 06/100 (281.06) feet; and

**NORTHERLY:** by Royall Street twenty (20) feet.

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 21 of the warrant.

Attorney Paul Schneiders, sponsor of the article, stated that three small parcels on Royal Street and Royal Lane are zoned Residential. Two very large parcels on each side of the smaller ones are zoned Limited Industrial. They are owned by Boston Mutual and Reebok. Almost all of the rest of the land on the southerly side of Royal Street is also zoned Limited Industrial. To have three small Residential parcels located between several larger Limited Industrial parcels is very poor zoning. If rezoned, these parcels would be taxed at a commercial rate which is twice the residential rate. The Planning Board and Finance Committee each voted in favor of this article.

**VOTED:** That the Town's Zoning Map, as most recently amended, be amended by changing the designation of a portion of land, approximately 0.14 acres in size, located on Royal Lane from Single Residence AA to Limited Industrial. Said parcel is shown on a plan of land entitled. "Plan of Land, Canton, Massachusetts", dated April 23, 1968 (revised October 17, 1968), Harry R. Feldman, Inc., Surveyors, recorded

with the Norfolk Registry of Deeds Plan Book 225, Plan 904, and bounded and described according to said Plan as follows:

EASTERLY and SOUTHEASTERLY: by the center line of Royal Lane approximately three hundred thirteen (313) feet

SOUTHWESTERLY: by a line across the end of Royal Lane twenty (20) feet;

NORTHWESTERLY and WESTERLY: by the side of Royal Lane two hundred eighty-one and 06/100 (281.06) feet; and

NORTHERLY: by Royall Street twenty (20) feet.

ADOPTED UNANIMOUS VOICE VOTE

**ARTICLE 22**

**AMEND ZONING MAP BY CHANGING DESIGNATION OF PORTION OF LAND (APPROX. 1.1 ACRES) ON ROYAL LANE FROM SINGLE RESIDENCE AA TO LIMITED INDUSTRIAL**

**Article 22** To see if the Town will vote to amend the town’s zoning map, as most recently amended, by changing the designation of a portion of land, approximately 1.1 acre in size, located on Royal Lane described on Board of Assessors Map 69, Lot 002 from Single Residence AA to Limited Industrial or take any other action in relation thereto.

**Petition by for Attorney Paul Schneiders and 14 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the Town’s Zoning Map, as most recently amended, be amended by changing the designation of a parcel of land, approximately 1.1 acre in size, located on Royal Lane identified as Board of Assessors Map 69, Lot 002 from Single Residence AA to Limited Industrial.

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board’s motion as printed in Article 22 of the warrant.

VOTED: That the Town’s Zoning Map, as most recently amended, be amended by changing the designation of a parcel of land, approximately 1.1 acre in size, located on Royal Lane identified as Board of Assessors Map 69, Lot 002 from Single Residence AA to Limited Industrial.

ADOPTED UNANIMOUS VOICE VOTE

## ARTICLE 25

### **AMEND ZONING MAP BY CHANGING DESIGNATION OF PORTION OF LAND (APPROXIMATELY 1.7 ACRES) ON ROYAL LANE FROM SINGLE RESIDENCE AA TO LIMITED INDUSTRIAL**

**Article 25** To see if the Town will vote to amend the town's zoning map, as most recently amended, by changing the designation of a portion of land, approximately 1.7 acres in size, located on Royal Lane described on Board of Assessors Map 69, Lot 001 from Single Residence AA to Limited Industrial or take any other action in relation thereto.

**Petition by for Attorney Paul Schneiders and 12 others**

#### **FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

#### **PLANNING BOARD MOTION:**

**MOVED:** That the Town's Zoning Map, as most recently amended, be amended by changing the designation of a parcel of land, approximately 1.7 acres in size, located on Royal Lane and identified as Board of Assessors Map 69, Lot 001 from Single Residence AA to Limited Industrial.

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 25 of the warrant.

**VOTED:** That the Town's Zoning Map, as most recently amended, be amended by changing the designation of a parcel of land, approximately 1.7 acres in size, located on Royal Lane and identified as Board of Assessors Map 69, Lot 001 from Single Residence AA to Limited Industrial.

**ADOPTED UNANIMOUS VOICE VOTE**

## ARTICLE 34

### **AMEND ADDITIONAL 43D PRIORITY DEVELOPMENT SITES**

**Article 34** To see if the Town will vote to accept the provisions of c.43D, Sections 1 through 16, of the General Laws and to designate the following parcel of land as a "Priority Development Site" in the Town of Canton for expedited municipal permitting within the meaning of G.L. Chapter 43D, and to approve the filing of an application with the Commonwealth of Massachusetts Interagency Permitting Board for designation of such parcel as a Priority Development Sites, including but not limited to:

465 Turnpike Street (former Commercial Sheet Metal site) known as Canton Assessor's Map 77, Lot 14.

and that the Board of Selectmen be hereby authorized to implement the following within 120 days of the acceptance of Chapter 43D with respect to the above mentioned Priority Development Sites:

(a) appoint a single point of contact to serve as the primary municipal liaison for all issues relating to Chapter 43D in connection with said Priority Development Sites;

(b) amend rules and regulations, with the assistance of various permitting boards, on permit issuance to conform with Chapter 43D with respect to the foregoing Priority Development Sites;

(c) along with the Town's permitting boards, collect and ensure the availability of all governing statutes, local bylaws, regulations, procedures and protocols pertaining to each permit;

(d) establish a procedure whereby the Board of Selectmen shall determine all permits, reviews and pre-development review required for a Priority Development Site project, all required scoping sessions, public comment periods and public hearings and all additional specific applications and supplemental information required for review, including when applicable, the identification of potential conflicts of jurisdiction or substantive standards with abutting municipalities and a procedure for notifying the applicant; and

(e) establish a procedure, following notification of the required submissions for review as set forth in clause (d) above, for determining if all the materials required for the review of the Priority Development project have been completed.

**Board of Selectmen for Economic Development Committee**

**MOVED: That the provisions of Chapter 43D, Sections 1 through 16, of the General Laws be accepted and that the following parcel of land identified as 465 Turnpike Street, Assessors Map 77, Lot 14, be designated as a "Priority Development Site" in the Town of Canton for expedited municipal permitting within the meaning of G.L. Chapter 43D, and that the filing of an application with the Commonwealth of Massachusetts Interagency Permitting Board for designation of such parcel as a Priority Development Sites be approved and that the Board of Selectmen be authorized to implement the following within 120 days of the acceptance of Chapter 43D with respect to the above mentioned Priority Development Sites:**

**(a) appoint a single point of contact to serve as the primary municipal liaison for all issues relating to Chapter 43D in connection with said Priority Development Sites;**

**(b) amend rules and regulations, with the assistance of various permitting boards, on permit issuance to conform with Chapter 43D with respect to the foregoing Priority Development Sites;**

**(c) along with the Town's permitting boards, collect and ensure the availability of all governing statutes, local bylaws, regulations, procedures and protocols pertaining to each permit;**

**(d) establish a procedure whereby the Board of Selectmen shall determine all permits, reviews and pre-development review required for a Priority Development Site project, all required scoping sessions, public comment periods and public hearings and all additional specific applications and**



supplemental information required for review, including when applicable, the identification of potential conflicts of jurisdiction or substantive standards with abutting municipalities and a procedure for notifying the applicant; and

(e) establish a procedure, following notification of the required submissions for review as set forth in clause (d) above, for determining if all the materials required for the review of the Priority Development project have been completed.

**FINANCE COMMITTEE VOTE: 6-0-1**

Mark Porter, Chairperson of the Finance Committee, moved Article 34 as printed in the warrant.

Gene Manning, Chairperson of the Economic Development Committee, provided a slide presentation showing the 465 Turnpike Street property and stated that the Finance Committee and the EDC are both unanimously in support of this article.

VOTED: Article 34 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

## **ARTICLE 36**

### **APPROVAL OF FUNDING FOR THE FY 14 ASSESSING REVALUATION PROJECT**

**Article 36** To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of One Hundred Twenty Thousand Dollars (\$120,000) for professional services to perform FY14 Assessing Revaluation for Re-Certification as required every 3 years to meet State requirements, or to take any other action related thereto.

#### **Board of Selectmen for the Board of Assessors**

**MOVED:** That the sum of One Hundred Twenty Thousand Dollars (\$120,000) be transferred from Free Cash in the Treasury of the Town to the Assessing Department for professional services to perform an Assessing Revaluation for Re-Certification with the intent that these funds shall be available in Fiscal 2013.

**FINANCE COMMITTEE VOTE: 6-1-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 36 as printed in the warrant.

Mr. Porter stated that this work is required triennially in order for the Town to establish its property tax rates for FY14. This is an FY13 expense, which is necessary to determine FY14 property tax rates in a timely manner. The Finance Committee will recommend at future Town Meetings to budget one-third of this cost, approximately \$40,000, to the Assessor's Overlay each year understanding that this expense will be approximately \$120,000 every three years.

VOTED: Article 36 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

## ARTICLE 5

### **SET SALARIES OF ELECTED OFFICERS**

**Article 5** To see if the town will vote, in accordance with the provisions of section one hundred and eight of chapter forty-one (G. L. chapter 41, §108) to fix the salary and compensation of all elected officers of the town, or to take any other action related thereto.

#### **Board of Selectmen**

#### **MOTION 1**

**MOVED:** That the salary and compensation for the Town Clerk be fixed at \$76,061.00 for the 2014 fiscal year beginning July 1, 2013 through June 30, 2014.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 5, Motion 1 as printed in the warrant.

Mr. Porter stated that, in a comparison of other towns, the salary of the Canton Town Clerk was determined to be less than the average of comparison towns. The Finance Committee recommended that the Town bring the Town Clerks salary up to the average over a period of time instead of increasing it all at once. The increase proposed this year is the third of three planned annual increases for the Clerks salary to reach the average of comparison towns.

VOTED: Article 5, Motion 1 adopted as printed.

#### **ADOPTED UNANIMOUS VOICE VOTE**

#### **MOTION 2**

**MOVED:** That the salary and compensation for all part-time elected officials of the Town be fixed for the 2014 fiscal year beginning July 1, 2013 through June 30, 2014, as follows:

<b>Board of Assessors</b>	<b>\$2,400.00, for each member</b>
<b>Board of Health</b>	<b>\$600.00, for each member</b>
<b>Board of Selectmen</b>	<b>\$1,400.00, for each member, with an additional \$200.00 to chairperson</b>
<b>Planning Board</b>	<b>\$0.00</b>
<b>School Committee</b>	<b>\$0.00</b>
<b>Library Trustees</b>	<b>\$0.00</b>

**FINANCE COMMITTEE VOTE: 5-2-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 5, Motion 2 as printed in the warrant.

Mr. Porter stated that the Finance Committee has long been concerned with the inequities of paying salaries to some elected officials and not other elected or appointed officials. For the 2014 Fiscal Year, the salary paid to elected officials including the insurance costs amounts to approximately \$32,000.

VOTED: Article 5, Motion 2 adopted as printed.

#### **ADOPTED MAJORITY VOICE VOTE**

## ARTICLE 27

### **COMMUNITY PRESERVATION EXEMPTION FOR COMMERCIAL/INDUSTRIAL PROPERTY EXCLUDING \$100,000.**

**Article 27** To see if the Town will vote to amend the adopted provisions of Massachusetts General Laws Chapter 44B, Section 3(e) by adopting exemption (4), exempting \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of Chapter 59 of the Massachusetts General Laws, provided that the adoption of such exemption also be submitted to the voters of the Town as a ballot question at the next regular Town or state election and accepted by a majority of the voters as required by the Community Preservation Act; or to take any action related thereto.

#### **Board of Selectmen for the Community Preservation Committee**

**MOVED:** That M.G.L. Chapter 44B, as accepted by the Town, be amended by adopting Section 3(e) exemption (4), exempting \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in M.G.L. c. 59, § 2A after the adoption of such exemption by the voters of the Town at the next regular Town or state election, and further that a question be placed on the ballot for the next regular Town or state election for acceptance by the voters as required by the Community Preservation Act.

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 27 as printed in the warrant.

Mr. Porter stated that this article would provide an exemption from the Community Preservation Act surcharge for the first \$100,000 in commercial and industrial property value. There is already an exemption for the first \$100,000 in value for residential property. The commercial and industrial exemption was not available when the Community Preservation Act was petitioned to be placed on the ballot last year and, therefore, could not be acted upon until this Town Meeting. If approved by Town Meeting, the exemption must also be approved by a ballot vote. A ballot question would appear on the April 2014 Annual Town Election.

Lisa Lopez, Chairperson of the Community Preservation Committee, stated that during the campaign for the Community Preservation Act we were required to place the act on the ballot exactly as it was written at the time. After enough signatures were collected for the question to be placed on the ballot the Massachusetts Legislature changed the law to allow an exemption for commercial and industrial property value, the same as the exemption that was already in place for residential property. The Community Preservation Committee wishes to be fair to the business community with whom we expect to partner to select projects that are in the best interest of the entire community. If the ballot question passes the first \$100,000 in value of commercial and industrial properties would be exempt beginning in fiscal year 2015.

Gene Manning, President of the Canton Association of Business and Industries, stated the CABI's support of this article.

VOTED: Article 27 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

## ARTICLE 35

### **ACCEPT GENERAL OR SESSION LAWS ENACTED BY THE GENERAL COURT**

**Article 35** To see if the town will vote to accept any general or session laws enacted by the General Court for the benefit of cities or towns or of benefit to the Town of Canton, or to take any other action related thereto.

#### **Board of Selectmen**

**MOVED:** That the subject matter of Article 35 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved a substitute motion that Chapter 40, Section 13D of the General Laws be hereby accepted to establish a reserve fund in the Treasury of the Town for the future payment of accrued liabilities for compensated absences due any employee, and that the balance of one hundred forty-one thousand eight hundred twenty-four dollars and fifty-six cents (\$141,824.56) be hereby transferred from Retirement Buyback Trust Fund #864 to the fund established by this vote.

Mr. Porter explained that at the time of the Finance Committee's original vote they did not believe there were any General Laws that needed to be accepted and that this is an accounting change so that we can stay in compliance with current state laws.

**VOTED:** That Chapter 40, Section 13D of the General Laws be hereby accepted to establish a reserve fund in the Treasury of the Town for the future payment of accrued liabilities for compensated absences due any employee, and that the balance of one hundred forty-one thousand eight hundred twenty-four dollars and fifty-six cents (\$141,824.56) be hereby transferred from Retirement Buyback Trust Fund #864 to the fund established by this vote.

#### **ADOPTED UNANIMOUS VOICE VOTE**

## ARTICLE 29

### **AMEND GENERAL BY-LAWS ARTICLE III, SECTION 3.1 – TIMING OF FILING OF ZONING AND NON-ZONING ARTICLES**

**Article 29** To see if the Town will vote to amend the General By-laws, Article III, Section 3.1 as follows, or to take any other action related thereto:

By deleting the first paragraph of Section 3.1 A. and replacing it with the following:

A. Warrant Articles to Adopt or Amend Zoning By-Laws

All subject matter seeking to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "zoning articles") shall be filed in the office of the Board of Selectmen prior to twelve o'clock (12:00) noon on or about the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On or about the said one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to zoning articles, and as soon as practicable thereafter a listing of all proposed

warrant zoning articles which were received on or about the said one hundred and twentieth (120th) day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the town counsel for review and formatting.

And by deleting the first paragraph of Section 3.1 B. and replacing it with the following:

**B. All Other Warrant Articles**

All subject matter seeking other than to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "non-zoning articles") shall be filed in the office of the Board of Selectmen prior to twelve o'clock (12:00) noon on or about the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On or about the said one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to non-zoning articles, and as soon as practicable thereafter a listing of all proposed warrant non-zoning articles which were received on or about the said one hundred and twentieth day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the town counsel for review and formatting.

**Board of Selectmen**

**MOVED: That the General By-Laws of the Town, Article III, Section 3.1 be amended by deleting the first paragraph of Section 3.1 A. and replacing it with the following:**

**Warrant Articles to Adopt or Amend Zoning By-Laws**

**All subject matter seeking to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "zoning articles") shall be filed in the office of the Board of Selectmen prior to twelve o'clock (12:00) noon on or about the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On or about the said one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to zoning articles, and as soon as practicable thereafter a listing of all proposed warrant zoning articles which were received on or about the said one hundred and twentieth (120th) day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the Town Counsel for review and formatting.**

**And by deleting the first paragraph of Section 3.1 B. and replacing it with the following:**

**B. All Other Warrant Articles**

**All subject matter seeking other than to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "non-zoning articles") shall be filed in the**

**office of the Board of Selectmen prior to twelve o'clock (12:00) noon on or about the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On or about the said one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to non-zoning articles, and as soon as practicable thereafter a listing of all proposed warrant non-zoning articles which were received on or about the said one hundred and twentieth day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the Town Counsel for review and formatting.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved the following substitute motion:

MOVED: That the General By-Laws of the Town, Article III, Section 3.1 be amended by deleting the first paragraph of Section 3.1 A. and replacing it with the following:

**A. Warrant Articles to Adopt or Amend Zoning By-Laws**

All subject matter seeking to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "zoning articles") shall be filed in the office of the Board of Selectmen prior to twelve o'clock (12:00) noon on not less than the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On a date determined by the Board of Selectmen, such date to be not less than one hundred and twenty (120) days preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to zoning articles, and as soon as practicable thereafter a listing of all proposed warrant zoning articles which were received on not less than the said one hundred and twentieth (120th) day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the Town Counsel for review and formatting.

And by deleting the first paragraph of Section 3.1 B. and replacing it with the following:

**B. All Other Warrant Articles**

All subject matter seeking other than to adopt or amend zoning by-laws which is submitted for consideration as articles for insertion in the warrant for the annual town meeting (the "non-zoning articles") shall be filed in the office of the Board of Selectmen prior to twelve o'clock (12:00) noon on not less than the one hundred and twentieth (120th) day preceding the date on which the opening session of said meeting is to be held. On a date determined by the Board of Selectmen, such date to be not less than one hundred and twenty (120) days preceding the date on which the opening session of said meeting is to be held, the warrant shall be closed as to non-zoning articles, and as soon as practicable thereafter a listing of all proposed warrant non-zoning articles which were received on not less than the said one hundred and twentieth day preceding said scheduled date shall be prepared and signed by the Board of Selectmen. The said listing shall, forthwith, be submitted to the Town Counsel for review and formatting.

Mr. Porter stated that this is a housekeeping change that was recommended by Town Counsel after the warrant went to the printer. This article will synchronize the time when both zoning and non-zoning articles are submitted for the Town Meeting warrant. This article could also give the Finance Committee 30 additional days to perform due diligence for the Town, which includes meeting with article sponsors, researching the articles/issues, and making recommendations. The additional time would greatly assist the Finance Committee during a very busy period.

VOTED: The substitute motion is adopted.

ADOPTED UNANIMOUS VOICE VOTE

**ARTICLE 13**

**AMEND ZONING MAP BY PLACING PARCELS ALONG REVERE STREET AND NEPONSET STREET WITHIN THE VHOD**

**Article 13** To see if the Town will vote to amend the Town's zoning map, as most recently amended, by placing within the Village Housing Overlay District the following parcels of land located along Revere Street and Neponset Street and shown on a plan entitled Proactive Rezoning of Property Along Revere and Neponset Streets, dated January 3, 2013 and filed with and available for public review at the offices of the Planning Board, Town Clerk and Board of Selectmen, the research desk of the Canton Public Library and on the Town website. ; or to take any other action related thereto.

Map 26, Lots 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 87, 88, 89, 90, 91, 92, 93, 222 and 111; Map 14, Lots 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131 and 132; and Map 15, Lots 80, 81, 82, 83, 84, 85 and 86.

**Planning Board**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the subject matter of Article 13 be indefinitely postponed.

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved that Article 13 be indefinitely postponed.

Mr. Connolly stated that the purpose of the article was to place these parcels into an overlay in the Village Housing Overlay district, however, in light of the ongoing negotiations with Plymouth Rubber the Board wishes to postpone the article.

VOTED: POSTPONED INDEFINITELY UNANIMOUS VOICE VOTE

## ARTICLE 40

### ***INCREASE STABILIZATION FUND***

**Article 40** To see what sums of money the Town will vote to raise and appropriate or transfer from any available funds or borrow pursuant to any applicable statute, in order to increase any Stabilization Fund of the Town established pursuant to MGL Chapter 40, section 5B, or to take any other action related thereto.

#### **Board of Selectmen for the Finance Director**

**MOVED:** That the sum of Four Hundred Thousand Dollars (\$400,000) be transferred from Free Cash in the Treasury of the Town to the Stabilization Fund for the Fiscal Year ended June 30, 2013.

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 40 as printed in the warrant.

Mr. Porter stated that the Finance Committee believes that sound fiscal policy warrants that sufficient funds be contained within the Stabilization Fund to deal with unforeseen emergencies. A healthy balance in reserve funds is also essential for maintaining Canton's excellent Standard & Poor's AAA long-term bond rating. Bond Rating Agencies typically require that Towns receiving an AAA rating have 15% of their operating budget held in reserves and currently Canton reserve levels are at 10%. However, the rating agencies have stated that a critical factor in continuing to award Canton with an AAA rating despite the low reserve levels is the fact that Canton has voted to transfer funds into the stabilization fund each year despite difficult economic times.

VOTED: Article 40 adopted as printed.

#### **ADOPTED UNANIMOUS VOICE VOTE**

## ARTICLE 37

### ***APPROVAL OF FUNDING FOR THE ANNUAL 4<sup>TH</sup> OF JULY COMMUNITY CELEBRATION***

**Article 37** To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds the sum of Thirty-Five Thousand Dollars (\$35,000) to be expended by the Canton Recreation Director for the purpose of funding the annual July 4<sup>th</sup> community celebration in 2013, or to take any other action related thereto.

#### **Board of Selectmen for the Canton Recreation Commission**

**MOVED:** That the sum of Thirty Five Thousand Dollars (\$35,000) be transferred from Free Cash in the Treasury of the Town to be expended by the Canton Recreation Director for the July 4<sup>th</sup>, 2013 community celebration.

**FINANCE COMMITTEE VOTE: 6-0-1**

Mark Porter, Chairperson of the Finance Committee, moved Article 37 as printed in the warrant.



Mr. Porter stated that although this expense could be placed as a line item in the Recreation budget the Finance Committee feels that it is a better option to allow this to be discussed and voted on a year to year basis. This is a year that did not require significant budget cuts as in prior years, however, if that were not the case it would allow the Town Meeting voters to decide if we should forgo the 4<sup>th</sup> of July celebration or cut dollars elsewhere.

VOTED: Article 37 adopted as printed.

ADOPTED MAJORITY VOICE VOTE

Article 16 was drawn.

Robert Burr, Chairperson of the Board of Selectmen, made a motion that Article 16 be returned to the lottery pool until Article 41 has been acted upon.

Mr. Burr explained that Articles 16, 17 and 18 are re-zoning articles and usually include development agreements to better protect the town. Development agreements are not prepared as of tonight and on advice of Town Counsel the Board requests that the article be returned to the pool until after the budget has been acted upon.

Richard Staiti, attorney for the petition of the article supports the motion.

APPROVED VOICE VOTE, MORE THAN TWO-THIRDS

**ARTICLE 23**

**AMEND ZONING BY-LAW TABLE OF USE REGULATIONS – SECTION I – BY CHANGING "N" TO "BA"**

**Article 23** To see if the Town will vote to amend Section I of the Table of Use Regulations by changing "N" to "BA" for light manufacturing in the Business District; or take any other action in relation thereto.

**Petition by for Attorney Paul Schneiders and 14 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the subject matter of Article 23 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 6-1-0**

Chris Connolly, Chairperson of the Planning Board, stated that the Board vote was two members in favor of this article and two members opposed; therefore, the Planning Board cannot make a motion on this article.

Pat Johnson, a member of the Finance Committee, moved that Article 23 be indefinitely postponed.

Ms. Johnson stated that the majority of the Finance Committee voted to indefinitely postpone this motion. There are several Business Districts within the Town. These include parts of Turnpike Street as well as the Downtown area from Sherman Street (the Library area) to Neponset Street. The sponsor of this article would like the permitted use for a client of his on Turnpike Street. However this change, if voted, could then be automatically applied to the downtown business district allowing

manufacturing to occur in the area. The majority of the Finance Committee felt this was not in the best interest of the Town and voted to recommend postponing any action on this motion.

Attorney Paul Schneiders, sponsor of the article, made a substitute motion to amend Section 1 of the Table of Use Regulations by changing "N" to "BA" for light manufacturing in the Business District, but not including that section of the Business District known as the "Central Business Area" which lies along Washington Street south of Revere Street and north of Neponset Street.

Mr. Schneiders stated that the current Zoning Board Table of Uses prohibits (with an "N" for "No") light manufacturing in a Business District. However, retailers today often have to assemble or fabricate products for sale. This article would change the Table of Use from "N" to "BA" (Board of Appeals) which would allow the Zoning Board to grant a Special Permit, after an advertised public hearing in which abutters would be notified, for certain light manufacturing provided the Board specifically finds, in writing, that the particular use would not be detrimental to the neighborhood or the Town as a whole. The substitute motion would exclude from the use the Central Business Area in downtown Canton.

Mark Porter, Chairperson of the Finance Committee, asked how the area between Revere Street and Sherman Street would be considered.

Mr. Schneiders stated that there is a discrepancy between the Zoning map and the definition of the Central Business District. The definition in the Zoning By-Law says the Central Business District "lies along Washington Street south of Revere Street and north of Neponset Street", however, looking at the Zoning map the Central Business District goes further than that. Mr. Schneiders used the definition in his motion.

Mr. Schneiders withdrew his original substitute motion and offered a new substitute motion using the same wording except that Revere Street, which is a short section, be changed to Sherman Street.

Motion defeated.

DEFEATED MAJORITY VOICE VOTE

Vote to postpone indefinitely.

VOTED: POSTPONED INDEFINITELY UNANIMOUS VOICE VOTE

**ARTICLE 15**

**AMEND ZONING BYLAW BY ALTERING THE CANTON CENTER DESIGN REVIEW BOARD (CCDRB), SECTION 10.7.18**

**Article 15** To see if the Town will vote to amend the Zoning By-Law by amending Section 10.7.18 Uses and Activities Subject to Design Review by striking the words "by the Town of Canton" from item four so it shall read:

- 4. Any construction, alteration, demolition or removal of a structure or a site shall be subject to review by the Design Review Board. This includes all actions except those that are considered to be routine maintenance.

or to take any other action in relation thereto.

**Planning Board for the CCDRB)**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the Finance Committee recommends that the motion presented by the Planning Board to Town Meeting be adopted.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That Section 10.7.18 of the Zoning By-law be amended by deleting subsection 4. and replacing it with the following:

**4. Any construction, alteration, demolition or removal of a structure or site, other than any construction, alteration, demolition or removal of a single family residence which does not change the single family use of the structure or site, shall be subject to review by the Design Review Board. Construction, alteration, demolition or removal includes all actions except those that constitute routine maintenance.**

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 15 of the warrant.

Mr. Connolly stated that currently the Canton Center Design Review Board can only review buildings or sites that are owned by the Town of Canton. This change in the Zoning By-law would remove that reference and permit the Design Review Board to review the construction, alteration, demolition or removal of structures in the Canton Center Economic Opportunity District (CCEOD), other than single family residences and those actions that constitute routine maintenance.

**VOTED:** That Section 10.7.18 of the Zoning By-law be amended by deleting subsection 4. and replacing it with the following:

**4. Any construction, alteration, demolition or removal of a structure or site, other than any construction, alteration, demolition or removal of a single family residence which does not change the single family use of the structure or site, shall be subject to review by the Design Review Board. Construction, alteration, demolition or removal includes all actions except those that constitute routine maintenance.**

**ADOPTED UNANIMOUS VOICE VOTE**

**ARTICLE 30**

***ESTABLISH A BLUE HILLS REGIONAL TECHNICAL SCHOOL STABILIZATION FUND***

**Article 30** Blue Hills Regional Technical School District is requesting to see if the Town will vote to authorize the Blue Hills Regional Technical School District to establish a Stabilization Fund According to Chapter 71, Sections 16G1/2 of the Massachusetts General Laws, or to take any other action related thereto.

**Board of Selectmen**

**MOVED:** That the Blue Hills Regional Technical School District is hereby authorized to establish a Stabilization Fund According to Chapter 71, Sections 16G1/2 of the Massachusetts General Laws.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 30 as printed in the warrant.

Mr. Porter deferred to Aidan Maguire.

Aidan Maguire, Canton representative for the Blue Hills Regional Vocational School Committee, stated that this article seeks to create a stabilization fund although there are no funds attached to it for fiscal year 2014. The funds can only be utilized for capital projects.

Mr. Porter stated that the proposed article would allow the Administration and School Committee of Blue Hills Regional Technical School (BHRTS) to establish an account which they could use to 'save' funds out of their annual budget for future capital projects. This fund can only be used for capital projects and not operating expenses. Currently, BHRTS has no good way of saving for large scale projects and they are forced to return any budget surplus in excess of 5% of their budget. This account would be funded as a line item in their budget that must be approved by six of nine member towns.

VOTED: Article 30 adopted as printed.

#### ADOPTED MAJORITY VOICE VOTE

### **ARTICLE 26**

#### ***COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION FOR ADMINISTRATIVE AND OPERATING EXPENSES***

**Article 26** To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate Twenty Thousand Dollars (\$20,000) from the Community Preservation Fund for administrative and operating expenses of the Community Preservation Committee to the extent such appropriations do not exceed five percent of the annual revenues in the Community Preservation Fund; or to take any action related thereto.

#### ***Board of Selectmen for the Community Preservation Committee***

**MOVED:** That Twenty Thousand Dollars (\$20,000) be appropriated in Fiscal Year 2014 from the Community Preservation Fund for administrative and operating expenses of the Community Preservation Committee, except that if such appropriation would exceed five percent of the annual revenues in the Community Preservation Fund, then such appropriation shall equal five percent of the annual revenues in the Community Preservation Fund.

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 26 as printed in the warrant.

Mr. Porter deferred to Lisa Lopez.

Lisa Lopez, Chairperson of the Community Preservation Committee, stated that the \$20,000 is based on estimated receipts from the Community Preservation Fund. Under the Community Preservation Act, the town may appropriate up to five percent of the funds collected through the Community Preservation surcharge for administration and operating expenses. The monies can be used by the Community Preservation Committee for administrative help, appraisals, consultants, and other

expenses. If the Committee does not use the money it reverts back to the Community Preservation Fund to be used for CPA projects. Ms. Lopez also stated that the Committee does not have authority to spend CPA money on projects. The Committee's role is to solicit projects and then must present recommendations for projects to Town Meeting. Town Meeting then votes whether or not to appropriate the funds for said project.

Mr. Porter stated that the Finance Committee unanimously supports this article.

Dean Miller asked who would be responsible for managing the fund.

Ms. Lopez stated that the Committee would have access to the fund through the Town's Finance Director.

Mr. Hines stated that in future years the Committee will be providing annual reports to Town Meeting.

VOTED: Article 26 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**ARTICLE 11**

**"OMNIBUS" CAPITAL OUTLAY PROGRAM**

**Article 11** To see if the town will vote to raise and appropriate, or to transfer from available funds, or to authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow (and to issue bonds or notes therefore) any sum or sums of money, or by any combination of these methods of financing as may be necessary or desirable, make available funds for the purpose of purchasing, leasing, re-conditioning, improving or replacing any motor vehicles or other items of equipment or machinery or other items of personal property for any town agency, or for the purpose of contracting for any service, or for the design, repair, acquisition, construction, replacement or relocation or improvement to any town building or other structure, public works facility (including highway needs and traffic safety items), any other town owned facility or real property, or for any other purposes for which borrowing may be authorized, to purchase, or to take by eminent domain, any land or easements necessary for any such purposes and, where applicable, to authorize the trade-in of any presently owned motor vehicles, equipment or machinery to reduce the purchase or acquisition cost of any item to be acquired, or to take any other action related thereto.

**Board of Selectmen for Capital Planning Committee**

**MOTION 1**

**MOVED:** (a) The acquisition of all vehicles and other motorized equipment that is authorized to be purchased or otherwise acquired by any motion made under this warrant article shall be under the responsibility of the Finance Director/Chief Procurement Officer. In addition to the procurement, the "trade-in" or other disposition of all vehicles and other motorized equipment being replaced is also authorized and shall be under the responsibility of the Finance Director/Chief Procurement Officer. In all cases where by a motion made under this warrant article, a vehicle or other piece of motorized equipment is to be acquired by a town agency such purchase or acquisition shall be subject to and bound by the detailed specifications regarding such purchase or acquisition on file in the office of the Town Clerk; provided, however, the Finance Director/Chief Procurement Officer, may, in appropriate circumstances, waive or modify

the said detailed specifications, subject to a vote of the Finance Committee, taken within 30 (thirty) days following a decision to waive or to modify the foregoing provision requiring full compliance with the specifications on file.

(b) All building related projects which are approved and or funded by any motion made under this article shall be under the responsibility of the Building Renovations Committee appointed pursuant to Canton By-law, Article X, section 4, except as may be provided by any specific motion made pursuant to this article.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, thanked Gene Manning and the Capital Planning Committee for their hard work. Mr. Porter moved Article 11, Motion 1 as printed in the warrant.

Mr. Porter explained that this motion authorizes the Finance Director to supervise the acquisition, trade-ins, or other disposition of vehicles and other motorized equipment. This motion also authorizes the Building Renovations Committee to oversee all building/land projects.

VOTED: Article 11, Motion 1 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 2**

**MOVED:** That Four Hundred Forty Three Thousand Dollars (\$443,000) be appropriated from the Fiscal Year 2014 tax levy and other general revenues of the Town to be spent by the Finance Director/Chief Procurement Officer with the approval of various Municipal Departments designated below and with the approval of the Board of Selectmen for the purpose of purchasing certain items of property set forth below as follows:

<u>RECOMMENDATIONS</u>	<u>FINCOM AMOUNT</u>	<u>FINCOM VOTE</u>
<u>Police Department</u>		
Police Cruiser Replacement	\$48,000	7-0-0
<u>DPW</u>		
Fueling Equipment Upgrade	75,000	7-0-0
Replace Cemetery Lawn Mowers	10,000	7-0-0
Purchase Pallet Fork Tool Attachment	6,000	7-0-0
Purchase Asphalt Hot Box Dump Trailer	38,000	7-0-0
Purchase Message Board	18,000	7-0-0
<u>Finance</u>		
Computer Upgrades	18,000	7-0-0
Server Virtualization	135,000	7-0-0
Purchase Microsoft Office Professional Licenses	11,000	7-0-0
Website Redesign	23,000	7-0-0
<u>Recreation</u>		
Replace 1994 Ford Pickup Truck #43	35,000	7-0-0
<u>Library</u>		
Community Room Stacking Chairs	21,000	7-0-0
Workstations	5,000	7-0-0
<b>GRAND TOTAL</b>	<b><u>\$443,000</u></b>	

The amounts listed above for particular acquisitions are not to be construed as individual appropriations. The sums shown are intended to be estimates of individual items but the amount appropriated is one line item in the total sum of Four Hundred Forty Three Thousand Dollars (\$443,000). The Finance Director and Town Administrator, acting jointly, are hereby authorized to distribute such funds in such a manner as may be needed to accomplish the forgoing list of purchases; provided, however, that each item contained in the list is procured and that the excess funds are available because one or more items cost less than estimated and not because an item intended to be procured is not so procured.

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 2 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, provided a brief outline for each item.

Dean Miller asked if the \$135,000 for server virtualization was required to get bids.

Mr. Manning responded that the Finance Department obtains an estimated bid and then once the requested funds are approved by Town Meeting a bid proposal will be prepared to obtain multiple bids on said project.

VOTED: Article 11, Motion 2 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 3**

**MOVED:** That **Four** Hundred Forty Three Thousand Dollars (\$443,000) be appropriated from the Fiscal Year 2014 tax levy and other general revenues of the town, for the Canton School Committee to expend for the purpose of purchasing certain items of property set forth below for the School Department as follows:

	<b><u>FINCOM AMOUNT</u></b>	<b><u>FINCOM VOTE</u></b>
<b><u>Building Repairs/Improvements</u></b>		
Bathroom Partitions - Hansen	\$ 19,372	7-0-0
HVAC - Systemwide	99,000	7-0-0
Hot water pump motor replacement - GMS	17,779	7-0-0
<b><u>Grounds Improvement</u></b>		
School retaining walls replacement – Hansen	16,000	7-0-0
<b><u>Technology</u></b>		
Infrastructure Upgrade – Phase One (of \$140,800)	26,000	7-0-0
NetApp Storage Array	22,500	7-0-0
District Classroom Printers	19,995	7-0-0
High School & GMS Wireless Build – Phase One	50,555	7-0-0
CHS Art Lab Computer Upgrade	14,500	7-0-0
Adobe Illustrator & PhotoShop Upgrade – K-12 Art. Dir.	10,306	7-0-0
Rodman Security Cameras	17,575	7-0-0
<b><u>Program Improvements</u></b>		
Textbooks Language Arts – Galvin	18,226	7-0-0
Textbooks – various – High School	77,216	7-0-0
New Educator Evaluation Mgmt. System – Systemwide	20,473	7-0-0
<b><u>Furniture &amp; Fixtures</u></b>		
Cafeteria tables - Luce	5,503	7-0-0

**Extraordinary Maintenance**

Structural engineering work on bleachers

8,000

7-0-0

**GRAND TOTAL****\$443,000**

The amounts listed above for particular acquisitions are not to be construed as individual appropriations. The sums shown are intended to be estimates of individual items but the amount appropriated is one line item in the total sum of Four Hundred Forty Three Thousand Dollars (\$443,000). The Finance Director and the Business Manager of the School Department, acting jointly, are hereby authorized to distribute such funds in such a manner as may be needed to accomplish the forgoing list of purchases; provided, however, that each item contained in the list is procured and that the excess funds are available because one or more items cost less than estimated and not because an item intended to be procured is not so procured.

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 3 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a cash capital request and provided a brief outline for each item.

VOTED: Article 11, Motion 3 adopted as printed.

**ADOPTED UNANIMOUS VOICE VOTE****MOTION 4**

**MOVED:** That One Hundred Ninety One Thousand Dollars (\$191,000) be appropriated to be spent by the Finance Director/Chief Procurement Officer with the approval of the Department of Public Works Superintendent and the Board of Selectmen to purchase a catch basin truck and to meet said appropriation the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow, pursuant to any applicable statute or any other enabling authority as may be, the sum of One Hundred Ninety One Thousand Dollars (\$191,000).

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 4 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a municipal debt capital request to replace a DPW truck. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 4 adopted as printed.

**ADOPTED UNANIMOUS VOICE VOTE****MOTION 5**

**MOVED:** That Forty Five Thousand Dollars (\$45,000) be appropriated to be spent by the Finance Director/Chief Procurement Officer with the approval of the Fire Chief and the Board of Selectmen for the



**purpose of purchasing a vehicle for the Deputy Chief and to meet this appropriation Forty Five Thousand Dollars (\$45,000) be transferred from Ambulance Receipts Reserved for Appropriation Account.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 5 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a municipal cash capital request to replace the Deputy Fire Chief's vehicle. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 5 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 6**

**MOVED: That Eight Hundred Ten Thousand Dollars (\$810,000) be appropriated to be spent by the Finance Director/Chief Procurement Officer with the approval of the Fire Chief and the Board of Selectmen for the purpose of purchasing a ladder truck and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to any applicable statute or any other enabling authority as may be, the sum of Eight Hundred Ten Thousand Dollars (\$810,000). The bonds and notes to be issued pursuant to this vote shall be general obligations of the Town with the intent that the debt service principal and interest is to be repaid in the first instance from Ambulance Receipts Reserved for Appropriation Account.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 6 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a municipal debt capital request to purchase a new Fire Department ladder truck for station 2 in the Ponkapoag section of Canton. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 6 adopted as printed.

ADOPTED MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS

**MOTION 7**

**MOVED: That One Hundred Fifty Thousand Dollars (\$150,000) be appropriated to be spent by the Finance Director/Chief Procurement Officer with the approval of the Department of Public Works Superintendent and the Board of Selectmen for the purpose of purchasing a loader truck and to meet said appropriation One Hundred Fifty Thousand Dollars (\$150,000) be transferred from the water enterprise surplus (retained earnings).**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 7 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a cash enterprise water and sewer request to replace a backhoe loader truck to be used by the Water and Sewer Department for leak repairs and dig ups. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 7 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 8**

**MOVED:** That Twenty One Thousand Dollars (\$21,000) be appropriated to be spent by the Finance Director/Chief Procurement Officer with the approval of the Department of Public Works Superintendent and the Board of Selectmen for the purpose of purchasing an asphalt roller and tilting trailer and to meet said appropriation Twenty One Thousand Dollars (\$21,000) be transferred from the water enterprise surplus (retained earnings).

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 8 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a cash capital for enterprise water and sewer request to purchase an Asphalt Roller and Tilting Haul Trailer. Currently, the Water and Sewer Division has to share a roller with the Highway Division. As a result, there have been delays in completing work for both divisions. This purchase of a new or current model year One Ton Asphalt Roller and Titling Haul Trailer for the Water/Sewer Division will solve this problem and create the needed efficiencies. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 8 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 9**

**MOTION:** That Six Hundred Thirty One Thousand Two Hundred Fifty Dollars (\$631,250) be appropriated to be spent by the Department of Public Works Superintendent with the approval of the Board of Selectmen to pay for a water meter replacement program and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to any applicable statute or any other enabling authority as may be, the sum of Six Hundred Thirty One Thousand Two Hundred Fifty Dollars (\$631,250). It is the intent that the bonds and notes issued pursuant to this authority be general obligations of the Town but are to be repaid in the first instance from water revenues.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 9 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this request is being funded by water and sewer enterprise debt capital. This program is a comprehensive three year water meter placement program, which includes 7,500 meters, radio data transmitters, truck mounted receivers, and a communication software package. The purpose of this program is to improve the efficiency of meter reading and billing, to eliminate the need for estimated bills, and to increase customer service. The replacement of meters is required due to their age and serviceability. Water meters lose accuracy as they age and should be replaced every 10 to 15 years. The change out will include vehicle mounted reading technology, saving read time and preventing recording errors. The new meter provides the ability to detect if a leak is occurring in one's plumbing.

VOTED: Article 11, Motion 9 adopted as printed.

ADOPTED VOICE VOTE, MORE THAN TWO-THIRDS

**MOTION 10**

**MOTION:** That One Hundred Fifty Three Thousand Dollars (\$153,000) be appropriated to be spent by the Department of Public Works Superintendent with the approval of the Board of Selectmen to pay for a comprehensive water resource management plan and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to any applicable statute or any other enabling authority as may be, the sum of One Hundred Fifty Three Thousand Dollars (\$153,000). It is the intent that the bonds and notes issued pursuant to this authority be general obligations of the Town but are to be repaid in the first instance from sewer revenues.

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 10 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a sewer debt capital request for a Comprehensive Water Resource Management Plan. Discharge of run off into rivers and streams is regulated under a five-year Federal/State MS4 Discharge permit, which is renewable now. Canton also has continued reporting responsibilities for water and sewer uses under the Massachusetts Water Management Act. The overlap of the management of these current needs and the need for sustainable use of these resources should be handled in an integrated, efficient manner. This project will allow Sewer Division to assess current CWRMP under the new reporting requirements, develop tools and information to begin an Integrated Water Resource Management Plan to meet the foregoing US EPA and MA DEP requirements. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 10 adopted as printed.

ADOPTED VOICE VOTE, MORE THAN TWO-THIRDS

**MOTION 11**

**MOTION:** That Three Hundred Seventy Eight Thousand Seven Hundred Fifty Dollars (\$378,750) be appropriated to be spent by the Department of Public Works Superintendent with the approval of the Board of Selectmen to pay for a water meter replacement program and to meet said appropriation the Town Treasurer with the approval of the Board of

**Selectmen be authorized to borrow pursuant to any applicable statute or any other enabling authority as may be, the sum of Three Hundred Seventy Eight Thousand Seven Hundred Fifty Dollars (\$378,750). It is the intent that the bonds and notes issued pursuant to this authority be general obligations of the Town but are to be repaid in the first instance from sewer revenues.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 11 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is the other half of the water meter replacement project in Motion 9. This is a sewer enterprise debt capital request.

VOTED: Article 11, Motion 11 adopted as printed.

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 12**

**MOTION: That Two Hundred Forty Five Thousand Dollars (\$245,000) be appropriated to be spent by the Recreation Director with the approval of the Board of Selectmen to pay for the replacement of a compressor and glycol tank and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to any applicable statute or any other enabling authority as may be, the sum of Two Hundred Forty Five Thousand Dollars (\$245,000). It is the intent that the bonds and notes issued pursuant to this authority be general obligations of the Town but are to be repaid in the first instance from rink revenues.**

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 12 as printed in the warrant.

Gene Manning, Chairperson of the Capital Planning Committee, stated that this is a rink enterprise account request. The Unit Two Compressor and Glycol Tank at the Metropolis Rink has not been operational for the past eight years. As a result, the rink is relying on a 15-year old compressor (Unit One) with no back up. Should Unit One fail, it will take a minimum of two weeks to rebuild the ice, which would likely damage the rink's reputation and result in the loss of a diverse, repeat customer base. The CPC unanimously supports this motion.

VOTED: Article 11, Motion 12 adopted as printed.

ADOPTED MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS

**MOTON 13**

**MOVED: That the sum of One Million Three Hundred Sixty Thousand Dollars (\$1,360,000) be appropriated to be added to the sums heretofore appropriated pursuant to Article 13, motion 9 of the 2012 Annual Town Meeting, to be expended by the Board of Selectmen under the direction of the Building Renovation Committee, for the purposes of**

**designing, permitting, constructing and equipping a Canton Senior Center on property located at 500 Pleasant Street, Canton Massachusetts, and to meet this appropriation that the sum of One Million Three Hundred Sixty Thousand Dollars (\$1,360,000) be transferred from the Free Cash in the Treasury of the Town thereby increasing the appropriation made under Article 13 Motion 9 of the 2012 ATM from Six Hundred Fifty Thousand Dollars (\$650,000) to Two Million Ten Thousand Dollars (\$2,010,000).**

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 13 as printed in the warrant.

Gene Manning stated that the Senior Center Project is supported by both the Capital Planning Committee and the Finance Committee.

Bob McCarthy, Chairperson of the Building Renovations Committee, stated that at last year's Annual Town Meeting the voters approved the purchase of the Knights of Columbus building at a cost of \$450,000. The project was then turned over to the BRC. In August of 2013 the BRC sent out an RFQ (request for quotation) for architects and chose Richard Alvord from the nine who submitted quotes. Mr. Alvord also worked on the Armando building. This location offers the most potential and is best suited for the new Senior Center. The BRC in conjunction with Richard Alvord Architects and the Council On Aging have determined that a developed "base" design, within the bounds of the existing 6,108 square foot Pleasant Street structure, could be modified in a suitable way to combine some spaces to allow for the basic services and needs of the Senior Center to be met. This would include an upgrade of all the building systems in order for the building to meet current acceptable building code standards for energy conservation, accessibility and safety.

Alice Brown, referenced a handout provided to Town Meeting listing the itemized costs of renovation. One of the items listed was \$100,00 for "FF&E". Ms. Brown asked what "FF&E" stood for.

Mr. McCarthy responded that "FF&E" stands for furnishings, fixtures and equipment. We are hopeful that \$100,000 will be sufficient, however, on a building of this type it the individual pieces must be fire resistant which will be at a higher cost than it would be for your own home.

Ms. Brown inquired about \$5,000 for "Data (\$50,000 in budget to low).

Mr. McCarthy responded that there is already \$50,000 in the main budget for the renovation for the cost of installing cable, telephone and computers.

Ms. Brown inquired about the estimated time of completion.

Mr. McCarthy responded that it is expected for the second phase with the architect to go out to bid in August or September, award the contract, begin construction in October with an estimated completion date of April 2014.

Ms. Brown inquired about the Finance Committee's report concerning the Senior Center which stated that "Because the Town cannot support the one-time expense associated with a 12,500 facility, the Senior Center will need to evolve over a series of phases." Ms. Brown asked what it meant that the Senior Center will "need to evolve".

Mark Porter responded that it is his understanding that there are plans available for expansion of this facility but that it not what is being discussed tonight. We believe that this facility is a significant upgrade to our existing facility and it is possible that there may be alternative sources of funding for some future upgrade. Any future upgrades would have to be presented to Town Meeting for approval.

Ms. Brown asked about contingency plans if the costs are higher than what is available in the budget.

Mr. McCarthy stated that since the Building Renovations Committee was formed in 1992 they have never exceeded the budget and believe that the estimated costs they have provide should bring the project to completion on time and on budget.

John Connolly, a member of the Board of Selectmen, spoke of the importance of providing for the Towns senior population. Mr. Connolly stated that he believes Canton's senior population deserve a new Senior Center and that it is long overdue. When the Town purchased the property it was known that the building was in disrepair and would need renovation but the location and the amount of available parking make it the best location to build a new Senior Center. Mr. Connolly urged support for this article.

Judy Jenkins asked why the article is asking for \$1,360,000 when the projected cost is \$1,760,000.

Mr. Porter responded that \$400,000 is the amount of revenue remaining from what was appropriated at last year's Town Meeting.

Ms. Jenkins asked how the construction process will work.

Mr. McCarthy responded that if Town Meeting passes this article the money will become available on July 1<sup>st</sup>. The BRC has already begun working with the architect to prepare a bid proposal. The bid proposal will go out for open bidding and will be advertised. State law requires that we choose the qualified low bidder. The bid process will be according to state law, as on every project the BRC oversees.

Kevin Feeney, Chairperson for the Commission on Disabilities, stated that the committee unanimously supports this proposal.

Mr. Porter stated that the Finance Committee supported the \$1,360,000 figure because the money is available in free cash and it still leaves us with a comfortable minimum reserve. It made more sense to appropriate the available money from free cash than to borrow the money and have to pay interest on it.

Harold Drake, a former member of the Canton Housing Authority, stated that he would not vote against the proposal but does feel that the Williams Estate on Pleasant Street, which is Town owned and a much larger parcel, would have been a better location for a Senior Center. He believes that the proposed parcel is too small for such a facility and the fact that it is directly across the street from the Dean S. Luce Elementary School and will be operating at the same time. He expressed his concern that there will be children walking in the area and there will be an increase in traffic to and from the facility.

Ms. Brown expressed her concerned this appropriation will not be enough to fund the costs and that next year Town Meeting will again be asked to provide addition funding to complete the project.

Bruce Rohr inquired if the effect of the water damage which occurred last year been accounted for in the cost estimate.

Mr. McCarthy responded yes it has been considered.

Mr. Rohr asked is the cost of removing asbestos, if any, been calculated into the cost.

Mr. McCarthy responded that there is asbestos in the floor tile and that they had hoped to have them removed before Town Meeting but anything in the building containing asbestos "will and should be removed within the next three to four weeks" and the cost of removing has been calculated into the estimate.

Mr. Rohr asked if the property has been checked for site contamination.

Mr. McCarthy responded that in June 2012 the Town did an independent phase I environmental site assessment. Nothing was found. No further study was required.

Mr. Rohr asked if prevailing wage will be used.

Mr. McCarthy responded that prevailing union wages will be offered for all labor on the project, as state law requires.

Gerald Salvatori, a member of the Board of Selectmen, stated that over the last several years the Town has expended a great effort to find the best option for a new Senior Center. The Board of Selectmen working with the Council On Aging and various other Town boards have worked diligently to find the best option for a new Senior Center utilizing the resources available. Mr. Salvatori further stated that Canton has a very competent Building Renovations Committee that has a proven track record of administering these types of projects and that he has faith that they have diligently researched the numbers provided to Town Meeting and have done their best to identify any contingencies that they could and he feels confident that they will be able to manage this project to completion. Mr. Salvatori urged support for this article.

VOTED: Article 11, Motion 13 adopted as printed.

ADOPTED MAJORITY SHOW OF HANDS

**MOTON 14**

**MOVED: That a School Building Study Committee be hereby created to assess the current Canton Public Schools building facilities, to determine the extent to which such facilities meet the educational needs of the district at the present time and in future years, and to make specific recommendations as to how future educational space needs of the district might be met. The Committee shall consist of seven members to be appointed by the Town Moderator for one year terms:**

- One member of the Board of Selectmen;**
- One member of the School Committee;**
- School Superintendent or his designee from within the School Department;**
- and**
- Four at large members who are residents of the Town.**

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 11, Motion 14 as printed in the warrant.

Mr. Porter deferred to the School Committee.

John Bonnanzio, Chairperson of the School Committee, stated that he believes the motion speaks for itself but would be happy to answer any questions.

VOTED: Article 11, Motion 14 adopted as printed.

ADOPTED MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS

## ARTICLE 32

### ***VOTE TO APPLY TO MSBA FOR REIMBURSEMENT OF FUNDING FOR HANSEN ELEMENTARY SCHOOL WINDOW REPLACEMENT/REPAIRS.***

**Article 32** To see what sums of money the Town will raise and appropriate, transfer from available funds, borrow pursuant to any applicable statute appropriate or obtain pursuant to a grant funding agreement with the Massachusetts School Building Authority to pay the costs of a window replacement repair project at the Lieutenant Peter M. Hansen Elementary School, 25 Pecunit Street, Canton, MA including the payment of all costs incidental or related thereto, or take any action related thereto.

### **Board of Selectmen for the School Committee**

**MOVED:** That Six Hundred Eighty One Thousand Two Hundred Ninety Five Dollars (\$681,295) be appropriated to be expended by the School Committee under the direction of the Buildings Renovation Committee for the purpose of supplementing the appropriation voted pursuant to Article 27 of the 2012 Annual Town Meeting for a window and door replacement repair project at the Lt. Peter M. Hansen Elementary School, 25 Pecunit Street, Canton, MA which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, for which project the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA") thereby increasing the appropriation from Three Hundred Forty Two Thousand Dollars (\$342,000) to One Million Twenty Three Thousand Two Hundred Ninety Five Dollars (\$1,023,295); and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow, pursuant to any applicable statute or any other enabling authority as may be, Six Hundred Eighty One Thousand Two Hundred Ninety Five Dollars (\$681,295) and to accept any MSBA grant therefor; and provided however, the Town acknowledges that MSBA grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and provided, further, that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) a certain percentage (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. No amounts shall be borrowed or expended hereunder unless the Town shall have entered into a Project Funding Agreement for the Project with the MSBA that provides for a grant to the Town. The amount authorized to be borrowed pursuant to



**this vote shall be reduced to the extent of the amount of any MSBA grant set forth in the Project Funding Agreement between the Town and the MSBA relating to this project.**

**FINANCE COMMITTEE VOTE: 5-1-0**

Mark Porter, Chairperson of the Finance Committee, moved a substitute motion as follows:

MOVED: That Six Hundred Eighty One Thousand Two Hundred Ninety Five Dollars (\$681,295) be appropriated to be expended by the School Committee under the direction of the Buildings Renovation Committee for the purpose of supplementing the appropriation voted pursuant to Article 27 of the 2012 Annual Town Meeting for a window and door replacement repair project at the Lt. Peter M. Hansen Elementary School, 25 Pecunit Street, Canton, MA which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, for which project the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA") thereby increasing the appropriation from Three Hundred Forty Two Thousand Dollars (\$342,000) to One Million Twenty Three Thousand Two Hundred Ninety Five Dollars (\$1,023,295); and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow, pursuant to any applicable statute or any other enabling authority as may be, Six Hundred Eighty One Thousand Two Hundred Ninety Five Dollars (\$681,295) and to accept any MSBA grant therefor; and provided however, the Town acknowledges that MSBA grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and provided, further, that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) Forty-Five and 11/100 percent (45.11%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. The Board of Selectmen is hereby authorized to enter into a Project Funding Agreement with the MSBA for this project that provides for a grant to the Town for this project ("PFA") and no amounts shall be borrowed or expended hereunder until such PFA has been fully executed. Upon the execution of the PFA, the Superintendent of Canton Public Schools is hereby authorized to make final, binding decisions with respect to the project. The amount authorized to be borrowed pursuant to this vote shall be reduced to the extent of the amount of any MSBA grant set forth in the PFA.

Mr. Porter deferred to the School Committee.

Robert Golledge, a member of the School Committee, stated that last years Town Meeting approved a window replacement project at the Hansen and Galvin Schools. Testing of the caulking around the windows revealed that some caulking has PCB's and asbestos. This necessitates additional costs for proper hazardous material removal, increasing the projected cost. The School Department is now seeking an additional funding due to increased unforeseen costs. In addition, it was determined that caulking around some doors is also contaminated, and the doors will therefore be replaced as well. The School Department has applied and been approved for MSBA 45% reimbursement for the additional costs.

Mr. Porter stated that the reason for the substitute motion was to add the 45.11%. That is money that the state is giving the town. Generally speaking, when we have

these capital plans the Schools and Municipal side has a debt capacity and a cash capital capacity that they can access from year to year, in the event of an emergency the opportunity to borrow from future years. In this particular case, because of some of the construction issues, because of some of the different costs the schools have had to bare over the last few years their future borrowing capacity has been pushed to the brink. As a result, this year, the Finance Committee is recommending borrowing for these projects inside the levy but without requiring the schools to further borrow from their future years capital allocation.

VOTED: The substitute motion is adopted.

ADOPTED UNANIMOUS VOICE VOTE

**ARTICLE 33**

***VOTE TO APPLY TO MSBA FOR REIMBURSEMENT OF FUNDING FOR GALVIN MIDDLE SCHOOL WINDOW REPLACEMENT/REPAIRS.***

**Article 33** To see what sums of money the Town will raise and appropriate, transfer from available funds, borrow pursuant to any applicable statute appropriate or obtain pursuant to a grant funding agreement with the Massachusetts School Building Authority to pay the costs of a window replacement repair project at the William H. Galvin Middle School, 55 Pecunit Street, Canton, MA including the payment of all costs incidental or related thereto, or take any action related thereto.

**Board of Selectmen for the School Committee**

**MOVED:** That Nine Hundred Nineteen Thousand Three Hundred Twenty Two Dollars (\$919,322) be appropriated to be expended by the School Committee under the direction of the Buildings Renovation Committee for the purpose of supplementing the appropriation voted pursuant to Article 28 of the 2012 Annual Town Meeting for a window and door replacement repair project at the William H. Galvin Middle School, 55 Pecunit Street, Canton, MA which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, for which project the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA") thereby increasing the appropriation from Four Hundred Eleven Thousand Nine Hundred Fifty Dollars (\$411,950) to One Million Three Hundred Thirty One Thousand Two Hundred Seventy Two Dollars (\$1,331,272); and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow, pursuant to any applicable statute or any other enabling authority as may be, Nine Hundred Nineteen Thousand Three Hundred Twenty Two Dollars (\$919,322) and to accept any MSBA grant therefor; and provided however, the Town acknowledges that MSBA grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and provided, further, that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) a certain percentage(%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. No amounts shall be borrowed or expended hereunder unless the Town shall have entered into a Project Funding Agreement for the Project with the MSBA that provides for a grant to the Town. The amount authorized to

**be borrowed pursuant to this vote shall be reduced to the extent of the amount of any MSBA grant set forth in the Project Funding Agreement between the Town and the MSBA relating to this project.**

**FINANCE COMMITTEE VOTE: 5-1-0**

Mark Porter, Chairperson of the Finance Committee, moved a substitute motion as follows:

MOVED: That Nine Hundred Nineteen Thousand Three Hundred Twenty Two Dollars (\$919,322) be appropriated to be expended by the School Committee under the direction of the Buildings Renovation Committee for the purpose of supplementing the appropriation voted pursuant to Article 28 of the 2012 Annual Town Meeting for a window and door replacement repair project at the William H. Galvin Middle School, 55 Pecunit Street, Canton, MA which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, for which project the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA") thereby increasing the appropriation from Four Hundred Eleven Thousand Nine Hundred Fifty Dollars (\$411,950) to One Million Three Hundred Thirty One Thousand Two Hundred Seventy Two Dollars (\$1,331,272); and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow, pursuant to any applicable statute or any other enabling authority as may be, Nine Hundred Nineteen Thousand Three Hundred Twenty Two Dollars (\$919,322) and to accept any MSBA grant therefor; and provided however, the Town acknowledges that MSBA grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and provided, further, that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) Forty-Five and 11/100 percent (45.11%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. The Board of Selectmen is hereby authorized to enter into a Project Funding Agreement with the MSBA for this project that provides for a grant to the Town for this project ("PFA") and no amounts shall be borrowed or expended hereunder until such PFA has been fully executed. Upon the execution of the PFA, the Superintendent of Canton Public Schools is hereby authorized to make final, binding decisions with respect to the project. The amount authorized to be borrowed pursuant to this vote shall be reduced to the extent of the amount of any MSBA grant set forth in the PFA.

Robert Golledge, a member of the School Committee, stated that the reasons for this article are similar to Article 32.

VOTED: The substitute motion is adopted.

**ADOPTED UNANIMOUS VOICE VOTE**

**ARTICLE 12**

***TEMPORARY MORATORIUM, MEDICAL MARIJUANA TREATMENT CENTERS***

**Article 12** To see if the Town will vote to amend the Zoning By-law as follows to enact a temporary moratorium on medical marijuana treatment centers, or to take any other action related thereto.

By amending Section 11.0, Definitions, by adding the following definition in alphabetical order:

**MEDICAL MARIJUANA TREATMENT CENTER**

A not-for-profit entity as defined by Massachusetts law only, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And by amending Section 7, Special Regulations, by adding the following new subsection 7.7, Temporary Moratorium-Medical Marijuana Treatment Centers:

**7.7 TEMPORARY MORATORIUM - MEDICAL MARIJUANA TREATMENT CENTERS**

**7.7.1 PURPOSE.**

The purpose of this moratorium is to provide restrictions that will allow the Town of Canton ("Town") adequate time to consider whether to allow facilities associated with the medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

**7.7.2 EXCLUSION OF OTHER MARIJUANA USES.**

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

### **7.7.3 EXCLUSION OF ACCESSORY USES.**

In no case shall the acquisition, cultivation, possession, processing, transfer, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

### **7.7.4 TEMPORARY MORATORIUM.**

The use of land and/or structures for Medical Marijuana Treatment Centers and related uses is prohibited in all zoning districts in the Town so long as this Moratorium is in effect, as set forth in subsection 7.7.5 below and notwithstanding any provision in this Zoning Bylaw to the contrary. Variances from this Section 7.7 are strictly prohibited. During this Moratorium, the Town shall undertake a planning process consistent with the purposes set forth herein.

### **7.7.5 EXPIRATION.**

This Moratorium shall be effective until May 1, 2016, which is three (3) years from the deadline for the Massachusetts Department of Public Health to promulgate regulations pursuant to the Medical Use of Marijuana Law voted at the state election on November 6, 2012.

## **Board of Selectmen**

### **FINANCE COMMITTEE MOTION:**

**MOVED:** That the Zoning By-law be amended as follows to enact a two-year, temporary moratorium on medical marijuana treatment centers:

**By amending Section 11.0, Definitions, by adding the following definition in alphabetical order:**

#### **Medical Marijuana Treatment Center**

**A not-for-profit entity as defined by Massachusetts law only, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.**

**And by amending Section 7, Special Regulations, by adding the following new subsection 7.7, Temporary Moratorium-Medical Marijuana Treatment Centers:**

### **7.7 Temporary Moratorium - Medical Marijuana Treatment Centers**

#### **7.7.1 Purpose**

**The purpose of this moratorium is to provide restrictions that will allow the Town of Canton ("Town") adequate time to consider whether to allow facilities associated with the**

medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the final regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

#### **7.7.2 Exclusion of Other Marijuana Uses.**

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

#### **7.7.3 Exclusion of Accessory Uses**

In no case shall the acquisition, cultivation, possession, processing, transfer, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

#### **7.7.4 Temporary Moratorium**

The use of land and/or structures for Medical Marijuana Treatment Centers and related uses is prohibited in all zoning districts in the Town so long as this Moratorium is in effect, as set forth in subsection 7.7.5 below and notwithstanding any provision in this Zoning Bylaw to the contrary. Variances from this Section 7.7 are strictly prohibited. During this Moratorium, the Town shall

undertake a planning process consistent with the purposes set forth herein.

#### **7.7.5 Expiration**

This Moratorium shall be effective until June 30, 2015.

**FINANCE COMMITTEE VOTE: 5-2-0**

#### **PLANNING BOARD MOTION:**

**MOVED:** That the Zoning By-law be amended as follows to enact a one-year, temporary moratorium on medical marijuana treatment centers:

By amending Section 11.0, Definitions, by adding the following definition in alphabetical order:

#### **Medical Marijuana Treatment Center**

A not-for-profit entity as defined by Massachusetts law only, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And by amending Section 7, Special Regulations, by adding the following new subsection 7.7, Temporary Moratorium-Medical Marijuana Treatment Centers:

### **7.7 Temporary Moratorium - Medical Marijuana Treatment Centers**

#### **7.7.1 Purpose**

The purpose of this moratorium is to provide restrictions that will allow the Town of Canton ("Town") adequate time to consider whether to allow facilities associated with the medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the final regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other

uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

#### **7.7.6 Exclusion of Other Marijuana Uses.**

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

#### **7.7.7 Exclusion of Accessory Uses**

In no case shall the acquisition, cultivation, possession, processing, transfer, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

#### **7.7.8 Temporary Moratorium**

The use of land and/or structures for Medical Marijuana Treatment Centers and related uses is prohibited in all zoning districts in the Town so long as this Moratorium is in effect, as set forth in subsection 7.7.5 below and notwithstanding any provision in this Zoning Bylaw to the contrary. Variances from this Section 7.7 are strictly prohibited. During this Moratorium, the Town shall undertake a planning process consistent with the purposes set forth herein.

#### **7.7.9 Expiration**

This Moratorium shall be effective until June 30, 2014.

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 12 of the warrant.



Mr. Connolly stated that the Planning Board voted 4-0 to support the general concept of a one year moratorium, as it allows the Town to plan from a zoning perspective for the possibility of a medical marijuana dispensary in Canton. The Attorney General's office has ruled that towns may enact temporary moratoriums on the development of these treatment centers. The Attorney General allows towns to impose reasonable time limitations as long as restrictions are temporary, and enacted to allow towns to engage in comprehensive planning studies. To date the Attorney General has allowed one other town to have a one year moratorium.

Mark Porter, Chairperson of the Finance Committee, moved a substitute motion as follows:

Replace 7.7.6 numbering with 7.7.2  
Replace 7.7.7 numbering with 7.7.3  
Replace 7.7.8 numbering with 7.7.4  
Replace 7.7.9 with: 7.7.5 Expiration

1. The first year of this Moratorium shall be effective until June 30, 2014.
2. The second year of this Moratorium shall be effective from July 1, 2014 to June 30, 2015.

Mr. Porter stated that the substitute motion is largely similar to the Planning Board motion. There are now two sections to express the moratorium. There was some concern about what the Attorney General's office would allow. The Finance Committee voted to support a two-year moratorium on introduction of medical marijuana clinics in Canton because the Commonwealth of Massachusetts has not yet released its final set of rules on how these clinics would be regulated. A temporary two-year moratorium will provide the Town with the time needed to consider the implication of the State Department of Public Health regulations concerning such centers, while affording the opportunity to conduct thorough planning studies. The concern everyone had was that a one year moratorium is allowable, according to the Attorney General's office but a complete ban is not allowable. We do not know if the Attorney General's office will allow a two-year moratorium. The reason the motion is worded as is, that it is our understanding from Town Counsel that if they do not like the two-year moratorium they can chose to strike part 2 of the motion concerning the second year of the moratorium, leaving us with a one-year moratorium. This would provide us additional time and additional protection and does not compromise the Town if they were to through out the two-year because we would still be left with the one-year. The Finance Committee voted unanimously to support this motion.

Jeremy Comeau, a member of the Planning Board, asked if the Planning Board created a by-law was brought to Town Meeting next year, could Town Meeting also revoke the second year of the moratorium.

Paul Derensis, Town Counsel, responded yes.

Robert Burr, Chairperson of the Board of Selectmen, stated that the Board unanimously supports the Finance Committee's motion. This is more of an issue of timing than a matter of if. Medical marijuana has passed in the state. We want to be certain that time is given to digest the regulations. This is a recommendation from Town Counsel. It is consistent with what is being done in other communities throughout the state.

VOTED: That the Zoning By-law be amended as follows to enact a one-year, temporary moratorium on medical marijuana treatment centers:

By amending Section 11.0, Definitions, by adding the following definition in alphabetical order:

#### Medical Marijuana Treatment Center

A not-for-profit entity as defined by Massachusetts law only, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And by amending Section 7, Special Regulations, by adding the following new subsection 7.7, Temporary Moratorium-Medical Marijuana Treatment Centers:

#### 7.7 Temporary Moratorium - Medical Marijuana Treatment Centers

##### 7.7.1 Purpose

The purpose of this moratorium is to provide restrictions that will allow the Town of Canton ("Town") adequate time to consider whether to allow facilities associated with the medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the final regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

##### 7.7.2 Exclusion of Other Marijuana Uses.

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products

containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

#### 7.7.3 Exclusion of Accessory Uses

In no case shall the acquisition, cultivation, possession, processing, transfer, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

#### 7.7.4 Temporary Moratorium

The use of land and/or structures for Medical Marijuana Treatment Centers and related uses is prohibited in all zoning districts in the Town so long as this Moratorium is in effect, as set forth in subsection 7.7.5 below and notwithstanding any provision in this Zoning Bylaw to the contrary. Variances from this Section 7.7 are strictly prohibited. During this Moratorium, the Town shall undertake a planning process consistent with the purposes set forth herein.

#### 7.7.5 Expiration

1. The first year of this Moratorium shall be effective until June 30, 2014.
2. The second year of this Moratorium shall be effective from July 1, 2014 to June 30, 2015.

#### ADOPTED UNANIMOUS VOICE VOTE

### **ARTICLE 41**

#### ***APPROPRIATE FUNDS TO MEET EXPENSES FOR NEXT FISCAL YEAR (FY14)***

**Article 41** To see what sums of money the town will vote to raise and appropriate, transfer from any available funds or borrow pursuant to any applicable statute to meet the expenses of the next fiscal year for the various Town Boards, Committees, Departments and Agencies, or to take any other action related thereto.

#### **Board of Selectmen**

#### **MOTION 1**

**MOVED:** That the report of the Community Preservation Committee be adopted, and the following fund transfers be hereby made in FY14 as recommended by the Community Preservation Committee:

**Forty Eight Thousand Dollars (\$48,000) be transferred from FY14 receipts of the Community Preservation Fund into the CPA Open Space Reserve Subaccount in the treasury of the town;**

**Forty Eight Thousand Dollars (\$48,000) be transferred from FY14 receipts of the Community Preservation Fund into the CPA Historic Preservation Reserve Subaccount in the treasury of the town;**

**Forty Eight Thousand Dollars (\$48,000) be transferred from FY14 receipts of the Community Preservation Fund into the CPA Community Housing Reserve Subaccount in the treasury of the town; and**

**Three Hundred Sixteen Thousand Dollars (\$316,000) be transferred from FY14 receipts of the Community Preservation Fund into the CPA Undesignated Reserve Subaccount.**

**FINANCE COMMITTEE VOTE: 6-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 41, Motion 1 as printed in the warrant.

Lisa Lopez, Chairperson of the Community Preservation Committee, stated that purpose of this article is to move CPA receipts that are collected in the coming fiscal year into the proper CPA budget account to be available for future projects that the committee recommends for funding by Town Meeting. Tonight the committee is not recommending that any project be reviewed by Town Meeting. This article only allows CPA revenue to be placed into budgeted reserves so that funds can be spent by Town Meeting on future projects. Next year the committee will report to Town Meeting how any funds have been spent and will explain the status of any project that has already been approved by a Town Meeting.

VOTED: Article 41, Motion 1 adopted as printed

ADOPTED UNANIMOUS VOICE VOTE

**MOTION 2**

**MOVED:** That the various sums of money contained in the printed report of the Finance Committee be raised and appropriated for the various purposes as are enumerated in the said report, and that certain funds be transferred to meet such appropriation as set forth below, provided however, that for the purposes of MGL chapter forty-four, section thirty-one (c. 44, §31) the individual and separately numbered items within each account are not to be considered as separate votes but rather as detail provided only for general information purposes, it being the intention of this vote to have a, so-called, bottom line budget enabling department heads, with the approval of the Finance Director, to shift funds from one subsidiary account to another within the total amount available to the department, office or agency.

## Votes to Transfer Available Funds

WITH A VOTE THAT \$2,178,581 BE TRANSFERRED AS FOLLOWS:

TRANSFER FROM	AMOUNT	PURPOSE
WATER ENTERPRISE FUND	\$756,170	FIXED COSTS
AMBULANCE SERVICE	650,000	FIRE DEPARTMENT
SEWER ENTERPRISE FUND	394,399	FIXED COSTS
SCHOOL FOOD SERVICE	102,224	HEALTH INSURANCE
AMBULANCE SERVICE	86,980	DEBT SERVICE
RINK ENTERPRISE FUND	82,015	FIXED COSTS
BOND PREMIUM FUND	39,116	DEBT SERVICE
GREENLODGE STREET PARKING FEES	35,000	EXECUTIVE OFFICE
SALE OF REAL ESTATE	12,677	DEBT SERVICE
SALE OF LOTS/GRAVES	10,000	CEMETERY MAINTENANCE
CEMETERY PERPETUAL CARE (EXPENDABLE)	5,000	CEMETERY MAINTENANCE
WETLANDS PROTECTION	5,000	CONSERVATION COMMISSION
TOTAL	<u><u>\$2,178,581</u></u>	

**FINANCE COMMITTEE VOTE: 7-0-0**

Mark Porter, Chairperson of the Finance Committee, moved Article 41, Motion 2 as printed in the warrant.

VOTED: Article 41, Motion 2 adopted as printed

ADOPTED UNANIMOUS VOICE VOTE

## SECOND SESSION

**MAY 15, 2013**

Robert Burr, Chairperson of the Board of Selectmen, respectfully requested a moment of silence for Marilyn Rodman, a former member of the Canton School Committee, who recently passed away.

Moderator Alan Hines recognized Finance Committee Chairperson Mark Porter for his work as Chairperson of the committee and for his efforts in assisting Mr. Hines in his first year as Moderator.

Mr. Hines also recognized Finance Committee member Pat Johnson who will be retiring from the committee after serving for nine years for her efforts as a member of the Finance Committee.

### **FY14 BUDGET**

#### **SCHOOL DEPARTMENT (300) TOTAL SCHOOLS**

#### APPROVED UNANIMOUS VOICE VOTE

<b>ASSESSORS (141)</b>	<b>\$225,801.00</b>
<b>BUILDING AND ZONING (176;241)</b>	<b>\$332,350.00</b>
<b>COMMITTEES &amp; COMMISSIONS (131;149;182;184;547;691;692)</b>	<b>\$26,049.00</b>
<b>CONSERVATION COMMISSION (171)</b>	<b>\$85,996.00</b>
<b>COUNCIL ON AGING (541)</b>	<b>\$217,870.00</b>
<b>EXECUTIVE AREA (129;151;154;179;192-195;199;244;632;910)</b>	<b>\$1,333,162.00</b>
<b>FINANCE DEPARTMENT (133;135;145;155)</b>	<b>\$900,072.00</b>
<b>FIRE DEPARTMENT (220;221;231;232;291)</b>	<b>\$4,764,343.00</b>
<b>HEALTH DEPARTMENT (510)</b>	<b>\$331,760.00</b>
<b>PLANNING BOARD (175)</b>	<b>\$53,075.00</b>
<b>POLICE DEPARTMENT (210;292)</b>	<b>\$4,331,128.00</b>
<b>PUBLIC LIBRARY (610)</b>	<b>\$1,111,874.00</b>
<b>PUBLIC WORKS (400;410;420;421;425;426;427;491;492;493)</b>	<b>\$2,064,147.00</b>
<b>RECREATION &amp; PLAYGROUND (542;630)</b>	<b>\$467,277.00</b>
<b>TOWN CLERK AND ELECTED (161;163)</b>	<b>\$210,537.00</b>
<b>VETERANS SERVICES DEPT. (543)</b>	<b><u>\$218,930.00</u></b>

Alan Keefe expressed his concern that each line item only lists the department numbers and does not provide information for each area within the department, for example, the various numbers under the Committees & Commissions line item does not identify committee the names.

Mr. Porter responded that a breakdown for each individual department is provided in the back of the Town Meeting warrant.

#### **TOTAL MUNICIPAL**

**\$16,674,371.00**

#### APPROVED MAJORITY VOICE VOTE

<b>BLUE HILLS REGIONAL (840)</b>	<b>\$1,059,042.00</b>
<b>DEBT SERVICE (710;751;752)</b>	<b>\$5,947,464.00</b>
<b>EMPLOYER SHARE-HEALTH INSURANCE (914;915)</b>	<b>\$10,558,160.00</b>
<b>NORFOLK AGRICULTURAL HIGH SCHOOL (841)</b>	<b>\$10,000.00</b>
<b>OPEB TRANSFERS (990)</b>	<b>\$400,000.00</b>
<b>RESERVE FUND (132)</b>	<b>\$500,000.00</b>
<b>RETIREMENT BENEFITS (911)</b>	<b>\$3,212,846.00</b>
<b>SNOW &amp; ICE (423)</b>	<b>\$364,735.00</b>
<b>STREET LIGHTING (422)</b>	<b>\$150,000.00</b>
<b>TOWN INSURANCE (946)</b>	<b>\$877,950.00</b>
<b>TRASH COLLECTION (433)</b>	<b>\$1,448,992.00</b>
<b>UNEMPLOYMENT COMPENSATION (913)</b>	<b><u>\$150,000.00</u></b>
<b>TOTAL FIXED COSTS</b>	<b>\$24,679,189.00</b>

APPROVED MAJORITY VOICE VOTE

<b>TOTAL BUDGET</b>	<b>\$74,674,065.00</b>
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**ENTERPRISE FUNDS**

<b>630</b>	<b>RINK ENTERPRISE</b>	<b>\$380,907.00</b>
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APPROVED UNANIMOUS VOICE VOTE

<b>440</b>	<b>SEWER ENTERPRISE</b>	<b>\$5,618,111.00</b>
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APPROVED UNANIMOUS VOICE VOTE

<b>450</b>	<b>WATER ENTERPRISE</b>	<b>\$6,178,655.00</b>
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APPROVED UNANIMOUS VOICE VOTE

**ARTICLE 16**

**AMEND ZONING BY-LAW TO PERMIT AREAS FOR SENIOR HOUSING OVERLAY DISTRICT (SHOD)**

**Article 16** To see if the town will vote to amend the Zoning By-Law of the Town, as most recently amended, by adding provisions which will define and regulate a new residential classification of housing especially designed to meet the needs and serve the interests of persons the age of sixty-two or more, by inserting into Section 9 , Special Districts, a new "Senior Housing Overlay District" in substantially the form contained in document entitled "Senior Housing Overlay District," copies of which have been placed on file and are available for public review at the office of the Town Clerk and at the office of the Board of Selectmen in Memorial Hall, at the research desk at the Canton Public Library and on the town website,

**SENIOR HOUSING OVERLAY DISTRICT (SHOD)**

**9.9.1 Purpose.** The purpose of the Senior Housing Overlay District (SHOD) is to:

- 1. Provide for the establishment of a specialized, tax-paying congregate residential development for the elderly that will offer mixed and diverse varieties of enriched service, supportive and secure housing for individuals sixty-two (62) years of age or older who do not want or need placement in a hospital or nursing home.

2. Create regulatory procedures to promote flexibility in land use planning in appropriate locations for the uses defined herein

3. Provide for residential development in a manner that conserves environmental features, woodlands, wet areas, open space, areas of scenic beauty, views and vistas. Such communities shall be designed to achieve compatibility with their surroundings and to encourage orderly and well-planned development.

**9.9.2 Overlay District; Applicability.** The SHOD shall be construed as an overlay district. This district may be applied as an overlay to any parcel of land which has been designated by a town meeting vote. All requirements of the underlying zoning district(s) shall remain in full force and effect, except where the requirements of the SHOD are less restrictive or provide for uses or structures not otherwise available in the underlying district(s). In such cases the requirements of the SHOD may supercede the underlying zoning regulations upon the issuance of a special permit from the Zoning Board of Appeals.

**9.9.3 Locations and Eligibility.** No parcel shall be placed in the SHOD unless it contains ten (10 ) contiguous upland acres of land . The location of a SHOD shall include all land designated by Town Meeting as being within the SHOD, pursuant to G.L. c. 40A, s. 5.

**9.9.4 Definitions.** See Section 11, "Senior Housing Overlay District."

**9.9.5 Use Restrictions and Requirements.** A Senior Housing Community may be authorized by a special permit issued by the Zoning Board of Appeals pursuant to this Section and in compliance with the standards set forth herein.

1. Multifamily residential structures consisting of dwelling units occupied by persons 62 years of age or older and which are designed as townhouses style structures to have dwelling units side by side or as apartment style structures to have dwelling units placed one above another. There may be more than one building on a single lot in a Senior Housing Community; in such an event, there shall be no minimum standards for internal lot line setbacks within the Senior Housing Community, unless required by the Zoning Board of Appeals in its issuance of a special permit based on specific findings that there is need for greater physical separation of specific buildings or uses.

2. Structures and uses accessory to the Senior Housing Community including but not limited to: meals and communal dining, transportation, laundry, recreation, entertainment, exercise, healthcare, therapy, beautification, automated teller machines and limited banking, and community activities.

3. All Senior Housing Community dwellings shall be connected to the public sewer or shall comply with the provisions of the State Sanitary Code, 310 CMR 15.00, any other applicable State regulations, and with the rules of the Town of Canton Board of Health.

**9.9.6 Density.** No building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, which exceeds one dwelling unit per two thousand five hundred (2,500) square feet of "buildable lot area".

**9.9.7Application.** An application for a special permit for construction within a SHOD shall be submitted to the Zoning Board of Appeals on forms furnished by the



Zoning Board of Appeals, accompanied by the fees set forth below, the following information and data, and a development plan as described below:

1. All of the information required for site plan approval pursuant to Zoning Bylaws Section 10.5;
2. The name(s) and address(es) of the Applicant and all legal and beneficial owners of the site and an instrument executed by all persons owning property constituting the site consenting to the development of the subject property, as applied for.
3. A proposed development schedule showing the expected start of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.
4. A narrative report prepared by the Applicant's qualified professionals detailing the impact of the development on the Town's capacity to furnish services, including, but not limited to, roads, water and sanitation.
5. Information regarding the number and kind of units and other structures (including signs) proposed, their location, the number of units planned for each use (i.e. independent living , assisted living, and memory care), the type of materials to be used in construction. The architecture of the structures shall be sensitive to the abutting structures and residences.
6. Areas to be set aside for building structures, parking areas, and any easements.
7. A Traffic Study prepared by the Applicant's qualified professional and any other information that the Zoning Board of Appeals may reasonably require in a form acceptable to said Board to assist in determining whether the Applicant's proposed development plan meets the objectives of this Section.

**9.9.8 Lot Coverage Requirement.** At least thirty percent (30%) of the Senior Housing Community shall be open space. The open space shall have a shape suitable to assure its use for landscaping and/or open space purposes. Each Senior Housing Community site shall conform to the following maximum lot coverage requirements:

1. Residential District. Where the underlying district is residential the Zoning Board of Appeals may approve a Senior Housing Community with no more than 30% lot coverage.
2. Industrial; Limited Industrial; Business Districts. Where the underlying district is Industrial, Limited Industrial or Business the Zoning Board of Appeals may approve a Senior Housing Community with no more than 40% lot coverage.

**9.9.9 Dimensional Regulations.** All dimensions shall comply with the lot dimensional regulations of this subsection. In addition, the applicant shall prepare a "Development and Use" plan in accordance with design standards submitted and approved by the Zoning Board of Appeals.

Requirement	Residential District	Business, Industrial, Limited Industrial
Minimum lot area	10 acres	10 acres
Minimum Frontage	150 feet	150 feet
Minimum Lot width	200 feet	175 feet
Minimum Front yard	60 feet	60 feet
Minimum Side yard	40 feet	35 feet
Minimum Rear yard	50 feet	40 feet

**9.9.10 Minimum Lot Frontages.** SHOD sites shall have a minimum frontage of one hundred and fifty (150) feet and at least one means of ingress/egress provided by a primary public roadway.

**9.9.11 Landscaping.** Appropriate buffer screening shall be designed and installed within setback areas adjoining or facing residential properties, to the extent deemed appropriate by the Zoning Board of Appeals as a part of the site plan approval process. Vegetation in this buffer area shall not be destroyed or removed, except for normal maintenance. Buffer areas shall be included in calculating the Open Space requirement of this by-law. Applicant shall file a landscape plan, prepared by a landscape architect, that demonstrates sufficient plantings to provide adequate screening. The landscaping plan shall strive to be consistent with the requirements of Section 10.5 in terms of the percent of the total interior landscaped area. The Zoning Board of Appeals may reduce the width of the required buffer and modify other landscaping requirements where the applicant demonstrates that suitable screening will be provided by other means.

**9.9.12 Parking and Loading.** There shall be a minimum of (a) 0.75 parking spaces per independent living dwelling unit and (b) 0.5 parking spaces per assisted living dwelling unit and these calculations include necessary staff and visitor parking. The Applicant shall provide information detailing the method of computation of parking spaces. All parking shall be confined to the site except as allowed under Section 4.05 Parking for residents of the SHOD must be reserved exclusively for their use. The Applicant shall demonstrate sufficient off-street loading space to insure that all loading operations take place off the public way.

**9.9.13 Stormwater Management.** The stormwater management system shall be designed in accordance with the Subdivision Regulations and the MassDEP's Stormwater Management Guidelines and Regulations, as amended.

**9.9.14 Utilities.** All electric, gas, telephone, water distribution lines, and other utilities shall be placed underground.

**9.9.15 Building Height.** No building or structure shall be constructed to exceed thirty six (36') feet . Maximum building height shall be measured as set forth in the State Building Code 780 CMR. Structures erected on a building and not used for human occupancy, such as chimneys, heating, ventilating or air conditioning equipment, solar or photovoltaic panels, elevator housings, antennas, skylights, cupolas, spires, or other such roof structures and the like may exceed the maximum height of building provided that no part of the structures is more than fifteen (15) higher than the upper elevation of the building and the total horizontal coverage of such structures on the building does not exceed twenty-five (25) percent. Additional height consistent with the provisions of Section 4.3.1 made be obtained by special permit granted by the Zoning Board of Appeals.

**9.9.16 Lighting.** All lights and other sources of illumination (whether interior or exterior) and all intense light emanating from operations or equipment shall be shielded from direct view at normal eye level from streets and residential districts.

**9.9.17 Signage.** All signs and awnings shall conform to the maximum area, height, number, setback and illumination requirements set forth in Section 6.3.

**9.9.18 Noise Regulation.** From the date the Senior Housing Community receives its final Certificate of Occupancy, no activity or use shall be allowed which causes exterior noise levels to exceed a day-night average sound level of 65 decibels at the lot line; no dwelling unit shall be located where exterior noise levels exceed a day-night average sound level of 65 decibels; and no dwelling unit shall be constructed which allows interior noise levels to exceed a day-night average sound level of 45 decibels. The daynight average sound level (Ld,,) is the 24-hour average sound level, in decibels, resulting from the accumulation of noise from all sources contributing to the external noise environment of the site (with 10 decibels added to sound levels occurring from 10:00 AM to 7:00 PM. The day-night average sound level shall be determined in accordance with The Code of Federal Regulations, Title 24 Housing and Urban Development, Part 51 Environmental Criteria and Standards (24 CFR 51).

**9.9.19 Fees.** Any fees submitted for an SHOD permit shall be reviewed by the Zoning Board of Appeals, pursuant to Section 3.03 of the Canton Zoning By-laws.

**9.9.20 Accessibility.** The facility shall comply with all state and federal requirements for handicapped access.

**9.9.21 Public Transportation.** Any SHOD special permit granted under this section shall be for a site proximate to public transportation or Applicant shall provide shuttle service to nearby public transportation facilities.

**9.9.22 Decision.** A site plan pursuant to the provisions of Section 10. 5 shall be required. The Zoning Board of Appeals may issue a special permit for a development in the SHOD when it finds that the proposed use is in harmony with the purpose and intent of the bylaw and the proposal shall be subject to general or specific provisions set forth herein. The Zoning Board of Appeals may waive any or all of the dimensional requirements, when, in the judgment of the Zoning Board of Appeals, such action is in the public interest and not inconsistent with the provisions of this Section 9.7 Any such permit issued may also impose reasonable conditions, safeguards and limitations of time and use. The Zoning Board of Appeals as Special Permit Granting Authority reserves the right to amend, modify or revoke any permit granted for noncompliance of aforesaid conditions or to take any other action in relation thereto.

**Petition by for Attorney Richard R. Staiti and 18 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the subject matter of Article 16 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the Town's Zoning By-Law, Section 9, Special Districts, be amended by adding a new Section 9.9, "Senior Housing Overlay District" as set forth below:

**9.9.1 Purpose.** The purpose of the Senior Housing Overlay District (SHOD) is to:

**1. Provide for the establishment of a specialized Senior Housing Community that will furnish mixed and diverse varieties of enriched service, supportive**

and secure housing for individuals sixty-two (62) years of age or older who do not want or need placement in a hospital or nursing home.

**2. Create regulatory procedures to promote flexibility in land use planning in appropriate locations for the uses defined herein**

**3. Provide for residential development in a manner that conserves environmental features, woodlands, wet areas, open space, areas of scenic beauty, views and vistas. Such communities shall be designed to achieve compatibility with their surroundings and to encourage orderly and well-planned development.**

**9.9.2 Overlay District; Applicability.** The SHOD shall be construed as an overlay district. This district may be applied as an overlay to any parcel of land which has been designated by a town meeting vote. All requirements of the underlying zoning district(s) shall remain in full force and effect, except where the requirements of the SHOD are less restrictive or provide for uses or structures not otherwise available in the underlying district(s). In such cases the requirements of the SHOD may supercede the underlying zoning regulations upon the issuance of a special permit from the Zoning Board of Appeals.

**9.9.3 Locations and Eligibility.** No parcel shall be placed in the SHOD unless it contains ten (10 ) contiguous upland acres of land . The location of a SHOD shall include all land designated by Town Meeting as being within the SHOD, pursuant to G.L. c. 40A, s. 5.

**9.9.4 Definitions.** See Section 11, "Senior Housing Overlay District."

**9.9.5 Use Restrictions and Requirements.** A Senior Housing Community may be authorized by a special permit issued by the Zoning Board of Appeals pursuant to this Section and in compliance with the standards set forth herein.

**1. Multifamily residential structures consisting of dwelling units occupied by persons 62 years of age or older and which are designed as townhouse style structures to have dwelling units side by side or as apartment style structures to have dwelling units placed one above another. There may be more than one building on a single lot in a Senior Housing Community with a minimum of thirty feet for internal lot line setbacks within the Senior Housing Community.**

**2. Structures and uses accessory to the Senior Housing Community including but not limited to: meals and communal dining, transportation, laundry, recreation, entertainment, exercise, healthcare, therapy, beautification, automated teller machines and limited banking, and community activities.**

**3. All Senior Housing Community dwellings shall be connected to the public sewer or shall comply with the provisions of the State Sanitary Code, 310 CMR 15.00, any other applicable State regulations, and with the rules of the Town of Canton Board of Health.**

**9.9.6 Density.** No building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, which exceeds one dwelling unit per -three thousand seven hundred and fifty (3,750) square feet of "buildable lot area".

**9.9.7Application.** An application for a special permit for construction within a SHOD shall be submitted to the Zoning Board of Appeals on forms furnished by the Zoning Board of Appeals, accompanied by the fees set forth below, the following information and data, and a development plan as described below:

- 1. All of the information required for site plan approval pursuant to Zoning Bylaws Section 10.5;
- 2. The name(s) and address(es) of the Applicant and all legal and beneficial owners of the site and an instrument executed by all persons owning property constituting the site consenting to the development of the subject property, as applied for.
- 3. A proposed development schedule showing the expected start of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.
- 4. A narrative report prepared by the Applicant's qualified professionals detailing the impact of the development on the Town's capacity to furnish services, including, but not limited to, roads, water and sanitation.
- 5. Information regarding the number and kind of units and other structures (including signs) proposed, their location, the number of units planned for each use (i.e. independent living , assisted living, and memory care), the type of materials to be used in construction. The architecture of the structures shall be sensitive to the abutting structures and residences.
- 6. Areas to be set aside for building structures, parking areas, and any easements.
- 7. A Traffic Study prepared by the Applicant's qualified professional and any other information that the Zoning Board of Appeals may reasonably require in a form acceptable to said Board to assist in determining whether the Applicant's proposed development plan meets the objectives of this Section.

**9.9.8 Lot Coverage Requirement.**

At least thirty percent (30%) of the Senior Housing Community shall be open space. The open space shall have a shape suitable to assure its use for landscaping and/or open space purposes.

In all districts, the Zoning Board of Appeals may approve a Senior Housing Community with no more than 30% lot coverage.

**9.9.9 Dimensional Regulations.** All dimensions shall comply with the lot dimensional regulations of this subsection. In addition, the applicant shall prepare a "Development and Use" plan in accordance with design standards submitted and approved by the Zoning Board of Appeals.

Requirement	Residential District	Business,	Industrial,
Limited Industrial			

Minimum lot area	10 acres	10 acres
Minimum Frontage	150 feet	150 feet
Minimum Lot width	200 feet	175 feet
Minimum Front yard	60 feet	60 feet
Minimum Side yard	40 feet	35 feet
Minimum Rear yard	50 feet	40 feet

**9.9.10 Minimum Lot Frontages.** SHOD sites shall have a minimum frontage of one hundred and fifty (150) feet and at least one means of ingress/egress provided by a primary public roadway.

**9.9.11 Landscaping.** A minimum buffer area of ten (10) feet shall be provided at the perimeter of the SHOD site. -Additional screening shall be designed and installed within setback areas adjoining or facing residential properties, to the extent deemed appropriate by the Zoning Board of Appeals as a part of the site plan approval process. Vegetation in this buffer area shall not be destroyed or removed, except for normal maintenance. Buffer areas shall be included in calculating the Open Space requirement of this by-law. Applicant shall file a landscape plan, prepared by a landscape architect, that demonstrates sufficient plantings to provide adequate screening. The landscaping plan shall strive to be consistent with the requirements of Section 10.5 in terms of the percent of the total interior landscaped area. The Zoning Board of Appeals may reduce the width of the required buffer and modify other landscaping requirements where the applicant demonstrates that suitable screening will be provided by other means.

**9.9.12 Parking and Loading.** There shall be a minimum of (a) 0.75 parking spaces per independent living dwelling unit and (b) 0.5 parking spaces per assisted living dwelling unit and these calculations include necessary staff and visitor parking. The Applicant shall provide information detailing the method of computation of parking spaces. All parking shall be confined to the site except as allowed under Section 4.05 Parking for residents of the SHOD must be reserved exclusively for their use. The Applicant shall demonstrate sufficient off-street loading space to insure that all loading operations take place off the public way.

**9.9.13 Stormwater Management.** The stormwater management system shall be designed in accordance with the Subdivision Regulations and the MassDEP's Stormwater Management Guidelines and Regulations, as amended.

**9.9.14 Utilities.** All electric, gas, telephone, water distribution lines, and other utilities shall be placed underground.

**9.9.15 Building Height.** No building or structure shall be constructed to exceed thirty six (36') feet . Maximum building height shall be measured as set forth in the State Building Code 780 CMR. Structures erected on a building and not used for human occupancy, such as chimneys, heating, ventilating or air conditioning equipment, solar or photovoltaic panels, elevator housings, antennas, skylights, cupolas, spires, or other such roof structures and the like may exceed the maximum height of building provided that no part of the structures is more than fifteen (15) higher than the upper elevation of the building and the total horizontal coverage of such structures on the building does not exceed twenty-five (25)

percent. An additional one foot in height - - may be obtained by special permit granted by the Zoning Board of Appeals by which applicant demonstrates an additional foot in excess of the required setback distance, narrower side yard, or rear yard depth whichever of the three is the smallest; provided however, the height in any case shall not exceed forty two (42) feet.

**9.9.16 Lighting.** All lights and other sources of illumination (whether interior or exterior) and all intense light emanating from operations or equipment shall be shielded from direct view at normal eye level from streets and residential districts.

**9.9.17 Signage.** All signs and awnings shall conform to the maximum area, height, number, setback and illumination requirements set forth in Section 6.3.

**9.9.18 Noise Regulation.** From the date the Senior Housing Community receives its final Certificate of Occupancy, no activity or use shall be allowed which causes exterior noise levels to exceed a day-night average sound level of 65 decibels at the lot line; no dwelling unit shall be located where exterior noise levels exceed a day-night average sound level of 65 decibels ; and no dwelling unit shall be constructed which allows interior noise levels to exceed a day-night average sound level of 45 decibels. The daynight average sound level (Ld,,) is the 24-hour average sound level, in decibels, resulting from the accumulation of noise from all sources contributing to the external noise environment of the site (with 10 decibels added to sound levels occurring from 10:00 AM to 7:00 PM. The day-night average sound level shall be determined in accordance with The Code of Federal Regulations, Title 24 Housing and Urban Development, Part 51 Environmental Criteria and Standards (24 CFR 51).

**9.9.19 Affordable Units.**

The zoning board of appeals in acting upon the request for the special permit for the SHOD development shall make specific findings that there will be a benefit to the town's housing objectives as a result of allowing a cash contribution in lieu of inclusionary units. The finding shall include consideration of appropriateness of the development site location for income eligible households, including proximity to and quality of public transportation, schools, other services as well as input from the planning board and the community preservation committee.

**A. At least twelve percent (12%) of the number of units in the SHOD that will count towards the Federal Decennial Census shall be restricted for rental by persons earning not more than eighty percent of the area median family income as defined by the Commonwealth's Department of Housing and Community Development. Such affordable units shall be integrated into the overall development so as to prevent the physical segregation of such units and otherwise shall be indistinguishable from market rate units except in size and interior finishing and appliances.**

**B. Cash Contribution—** In lieu of providing affordable units within a development as described in Section 9.9.19 A, the applicant may choose to make a cash contribution to the Town of Canton Community Preservation

**Committee or its designee to promote affordable housing as defined herein. Applicant shall comply with the following procedure:**

**1. Pre-Application Meeting—The applicant shall convene a pre-application meeting with the Community Preservation Committee to discuss the project proposal and affordable housing requirements.**

**2. Submittal of Affordable Housing Plan—The applicant shall fill out and submit a Cash Contribution Form as part of the pre-application meeting for site plan approval to the Planning Board. This form requires the following information:**

**a) Name, location and statement of the total project units and the type of units.**

**b) Verification from the DCHD (Department of Community Housing and Development) that the town is in compliance with the 10% requirements of affordable housing standards for the community.**

**c) The following formula shall be applied as the basis for the cash contribution:**

**Number of units in the SHOD that will count towards the Federal Decennial Census x .12 x 27% of the estimated assessed building value of each unit as determined by the town assessor = Total Cash Contribution.**

**d) The total amount of the cash contribution to be made by the applicant.**

**3) Cash contributions made in accordance with this section may only be used for purposes relating to the affordable housing component of the Community Preservation Act and only after the contribution has been accepted by the Town of Canton under the provisions of Ch.44 Sec. 53a.**

**C). The Zoning Board of Appeals will rely upon input from the Planning Board and the Community Preservation Committee to ensure compliance with the provisions of this section. In addition, the Zoning Board of Appeals may impose conditions in which the Building Commissioner may limit, restrict, or withhold the issuance of a certificate of occupancy for any market rate unit(s) in a development until:**

**1) all of the affordable units have obtained a certificate of occupancy; or  
2) any land, buildings, off-site units and/or cash contribution agreed upon to be donated to the Town or its designee have been conveyed.**

**9.9.-20 Fees. - The filing fee for a Special Permit pursuant to this section shall be \$1000.00. The Planning Board may charge the applicant a filing fee for site plan approval in addition to a technical review fee pursuant to MGL . c44 s. 53G to engage professional services to review an application for a special permit within the SHOD .**

**9.9.-21 Accessibility. The facility and parking shall comply with all state and federal requirements for handicapped access.**



**9.9.-22 Public Transportation. -**

**Applicant shall provide shuttle service for residents to nearby public transportation facilities and other community resources.**

**9.9.23 Decision. A site plan pursuant to the provisions of Section 10. 5 shall be required. The Zoning Board of Appeals may issue a special permit for a development in the SHOD when it finds that the proposed use is in harmony with the purpose and intent of the bylaw and the proposal shall be subject to general or specific provisions set forth herein. The Zoning Board of Appeals may waive any or all of the dimensional requirements, when, in the judgment of the Zoning Board of Appeals, such action is in the public interest and not inconsistent with the provisions of this Section 9.9 Any such permit issued may also impose reasonable conditions, safeguards and limitations of time and use. The Zoning Board of Appeals as Special Permit Granting Authority reserves the right to amend, modify or revoke any permit granted for noncompliance of aforesaid conditions.**

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 16 of the warrant.

Robert Burr, Chairperson of the Board of Selectmen, moved the following amendment (to be referred to as amendment #1) to the Planning Board motion:

MOVED: That section 9.9 of the proposed Zoning By-Law be amended by deleting Subsection 9.9.19 and replacing it with the herein new Subsection 9.9.19 and further by adding the following additional language herein proposed after the existing paragraph in Subsection 9.9.6:

**9.9.19 AFFORDABLE UNITS**

**Proposed replacement language SHOD, Affordable Units:**

**9.9.19 Affordable Units**

In accordance with the provisions set forth in this Section 9.9.19 below, at the request of the applicant the Zoning Board of Appeals as Special Permit Granting Authority in acting upon the application for a special permit for the SHOD development shall make specific findings as to whether there will be a benefit to the Town as a result of allowing the applicant to make a grant of funds to the Town in lieu of inclusionary affordable units in the SHOD development.

The Zoning Board of Appeals shall consider, as the most significant factor in making this finding, whether the applicant and the Town acting through the Board of Selectmen have executed a Development Agreement that includes without limitation the applicant's agreement to make a grant of funds to the Town for use in developing or fostering the development of affordable housing in the Town or for use by the Town for any other municipal purposes. The execution of such a Development Agreement shall strongly indicate that the Zoning Board of Appeals should find that there will be a benefit to the Town as a result of allowing the applicant to make a grant of funds to the Town in lieu of inclusionary affordable units in the SHOD development.

The findings shall also include consideration of appropriateness of the development site location for income eligible households, including proximity to and quality of public transportation, schools and other services, as well as input from the Planning

Board and the Board of Selectmen. In exercising its discretion to decide whether a benefit would result to the Town in allowing a grant of funds in lieu of inclusionary units, the Zoning Board of Appeals shall be subject to the following.

A. At least twelve percent (12%) of the number of Independent Living units in the SHOD shall be restricted for rental by persons earning not more than eighty percent of the area median family income as defined by the DHCD. Such affordable units shall be integrated into the overall development so as to prevent the physical segregation of such units and otherwise shall be indistinguishable from market rate units and their associated services except in size and interior finishing and appliances.

B. Grant of Funds—Subject to the Zoning Board of Appeal's or Board of Selectmen's respective determinations in Section 9.9.19 A, in lieu of providing affordable units within a development as described in Section 9.9.19 A, the applicant may choose to make a cash contribution to the Town of Canton via the Board of Selectmen pursuant to MGL Ch. 44, s. 53A, which payment shall be made upon the issuance of the first building permit associated with the applicant's project. In doing so, the applicant shall comply with the following procedure:

1. Pre-Application Meeting—The applicant shall convene a pre-application meeting with the Planning Board and the Board of Selectmen to discuss the project proposal and affordable housing requirements.
2. Submittal of Affordable Housing Plan—The applicant shall fill out and submit a Cash Contribution Form as part of the pre-application meeting for site plan approval to the planning board. This form requires the following information:
  - a. Name, location and statement of the total project units and the type of units.
  - b. Verification from the DHCD that the town is in compliance with the 10% requirements of affordable housing standards for the community.
  - c. The following formula shall be applied as the basis for the cash contribution: Total number of Independent Living units in the SHOD X \$7,500 = Total Donation.
  - d. The total amount of the cash contribution to be made by the applicant.
  - e. If the development shall occur in more than one phase, each phase shall expressly be subject to the donation formula herein.

C. The Zoning Board of Appeals in issuing the Special Permit will rely upon input from the Planning Board and the Board of Selectmen to ensure compliance with the provisions of this section. In addition, the Zoning Board of Appeals may impose conditions in which the building commissioner may limit, restrict, or withhold the issuance of a certificate of occupancy for any market rate unit(s) in a development until, to the extent applicable:

1. all of the affordable units have obtained a certificate of occupancy; or

2. any land, buildings, off-site units and/or cash contribution agreed upon to be donated to the Town or its designee have been conveyed.

### **9.9.6 DENSITY**

#### **Proposed language amendment SHOD, Density:**

Add as an additional language under Section 9.9.6 Density:

Upon placement of an eligible subject property in this SHOD by vote of Town Meeting, and if the applicant for a special permit pursuant to this Section 9.9 desires to subdivide the subject property for the sole purpose of donating a portion of the subject property's total acreage to the Town of Canton, and where the subject property shall thereafter fully maintain compliance with all other requirements of the herein overlay district, the Special Permit Granting Authority may adjust the density factor to allow the subject property to maintain the right to total unit count available prior to any such subdivision and subsequent donation. Said donation shall be received by the Town of Canton via its Board of Selectmen subject to MGL Ch 44 s 53A. Under no circumstances shall such a subdivision cause the subject property to be out of conformity with any other requirement of the herein overlay district.

Mr. Burr deferred to Richard Staiti, attorney for the proponent of Article 16.

Attorney Staiti stated that the petitioner, Brightview Senior Living, supports this amendment. Mr. Staiti explained that the section concerning Affordable Housing that is being amended by the Board of Selectmen addresses the utilization of a formula which is fairer. "Hard as it is to believe, as a petitioner and as a lawyer for the petitioner, it is actually going to cost my client, or anyone for that matter more money. The original discussion with the Planning Board had a sum amount of about \$300,000 being contributed in lieu of setting aside affordable units. This formula here actually doubles that amount and creates a minimum amount of \$600,000 and if the Town Meeting sees fit to approve the SHOD, there could be a contribution in excess of that as well. The whole issue of affordable housing, as we all know, is one that has fared some controversy in Town of Canton. We're sensitive to that. We're aware of that but there are also other things in there which basically safeguards the Town. We have a project coming on board very soon, and the Board of Selection can speak more about that better than I can, but the Avalon Bay project will soon be permitted. We have agreed to hold off on going forward on our project in terms of seeking full occupancy permits until that is in place, and when it is in place that will put the Canton SHI subsidized housing inventory well over ten percent, up in the vicinity of eleven and twelve. So, in terms of being afraid or perhaps, if you will, gently and politely and respectfully, an attack by another developer to use 40B that's where it has gone. We will not go forward on our project and that's one of the things that again is agreed to in the agreement and also offered in the amendment. I think the key component, if you will, it just came down to looking at what was a fair cash contribution. And, if I may, too, and I don't want to be too long on this but it's a new concept and whenever you have something new it does take time for people to understand and embrace. We've spent countless hours with members of the Finance Committee, individually and collectively, and with the Planning Board and with, again, other Town officials. A lot of time and effort went into this in developing a formula that we thought was fair both to my client but also fair to the Town of Canton. It's a very good balance. Again, the experience has shown me in other towns that I'm allowed to do some

work; this is done in other towns. Towns allow a cash contribution or they allow petitioners sometimes to set aside units that are off site. We're going forward with this idea that it would rather, because of our business plan. as Brightview says, because they have enriched services, they don't just have a unit where a person sleeps but they give them meals and they take care of their laundry, and they do cleaning and things like that. It's more preferable for them to allow a cash contribution to the benefit of the Town and that was the main driving force behind it."

Mr. Staiti also stated that he understands that some people may be disappointed in the lateness of receiving this amendment, however, "Every effort was expended countlessly by many people over the last two weeks in trying to research and in trying to come to an agreement and to do something that's good for the Town and fair and balanced. I believe this amendment does that. I believe this amendment is good for my client and also, more importantly for you. As a citizen of the Town, it's good for the Town of Canton in terms of finances and in terms of bringing a good residential community to the Town of Canton for our senior citizens. I would ask you, respectfully, consider it, and please vote yes on the amended motion being offered by the Board of Selectmen. Thank you."

Joseph Spadea made a motion to amend section A under section 9.9.19 of the amended motion (to be referred to as amendment #2) by adding "Such affordable unit shall include the same proportion of each planned use (independent living, assisted living and memory care)" at the end of the paragraph.

Mr. Spadea stated that "Twelve percent of the units that the developer proposes have to be affordable units defined by state law. What I'm saying is that if the developer agrees and he designates twelve percent of his units to be affordable, what my amendment says is that if he's going to put thirty percent of independent living, thirty percent of assisted living and thirty percent of memory care, then each should be the same proportions. What I'm trying to prevent here is a developer from putting in, let's say he's putting in two hundred units, twelve percent would be twenty-four units. I don't think it's right for him to be able to put in twenty-four assisted living units. Memory care units are probably the most expensive units. Those should be affordable too. What this does, this is an addition that if they choose to do so and put in those twelve percent, it should be allocated in the same ratios."

Mr. Staiti stated "I understand what the previous speaker is trying to attain. To some degree I believe it is contained in the language which outlines the SHOD district in terms of the percentage of units that must be allocated. That's already been in there. The subject matter of Article 16, respectfully, it has more to do with the definitions. SHOD is defined as a senior housing overlay district and it defines certain responsibilities in terms of the percentage of the units and in furtherance of that, the Board of Selectmen in their development agreement also outlined with the petitioner, as an agreement, how many units could be in independent, how many units could be assisted care, memory care. I think we have that covered. The SHOD Article 18, I believe it is, defines the percentage in terms of what has to be independent and it must be a minimum of memory care units. I think that is addressed in the by-law already going forward. The development agreement with the Board of Selectmen, they have an agreement in place that limits the amount of independent units that a person could build and then defines how many have to be independent and assisted as well. So the protection is in there. I appreciate what the previous speaker is saying but I feel that the protection is already in place so I would speaker against what he's saying, respectfully."

Mr. Spadea stated that Article 18 does not refer to the affordable units.

Mr. Staiti responded "I apologize. So, if we're just talking about the allocation of affordable units, you want to have a certain percentage of each of those as affordable?"

Mr. Spade stated "What I'm saying is, whatever the percentages are of the entire project, I want those same percentages applied to the affordable units. And I would appreciate your support on that."

Mr. Staiti referring to amendment #2 responded "We would respectfully support that amendment offered by the previous speaker."

Mr. Burr stated that, according to Town Counsel, this amendment is outside the scope of the article and, therefore, the Board of Selectmen would not support this amendment to the amended motion.

Amendment #2 is defeated.

#### DEFEATED 41 YEA – 58 NAY

Moderator Alan Hines stated that "The amendment to the amended motion fails. We are now ready to move to the amendment. Again, we need a majority on whether the amendment will be accepted and then we will have a discussion on the amended motion."

Amendment #1 is approved.

#### MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS

Mr. Hines stated "We now have an amended motion on the table. We have not voted the motion yet. We are now going to discuss the motion."

Jeremy Comeau, a member of the Planning Board, stated that he had wanted to talk about the amendment from the Board of Selectmen (amendment #1) but was "kind of baffled when we just voted on it" and was not given the opportunity to speak and expressed concern that others also did not understand what they were voting on.

An individual in the audience stated "you could move for reconsideration".

Mr. Hines informed the meeting that a motion to reconsider will basically end this meeting because, according to our General By-laws, once a vote has been taken it cannot be reconsidered until at least thirty-six week day hours have passed. The alternative is to either amend the main motion again and have the discussion that you are looking to have or have the discussion on the main motion.

Mr. Hines further stated the individual that moved for reconsideration did so because we did vote to insert these changes into the warrant without due discussion. If they would like to re-open discussion another alternative would be to offer a one word amendment to the motion.

David Merrigan stated that to re-open discussion he moved to amend section "B" subsection "c" of the wording in the Board of Selectmen's amendment (amendment

#1) by changing the amount of "\$7,500" to read "\$7,501" (to be referred to as amendment #3).

Ed Weinberg asked the difference between the Board of Selectmen's amendment and the original Planning Board motion and why these changes were made.

Mr. Burr explained that "The Board of Selectmen over the last several weeks has worked to build upon the template that the Planning Board laid out. The proponent for this project would like to have a formula put in place for, instead of doing affordability, have a payment made to the Town. What the Board of Selectmen has sought to do in both the substitution motion, which we are now talking about, both in the article and in the development agreement. As I have said basically build on the template of the Planning Board article. What we did was five things. First, we improved the formula regarding, and in lieu of payment for affordable housing to \$7,500 per unit with a minimum of \$600,000. What was initially proposed a \$300,000 payment with a different formula for affordability. So, I think that this is a better benefit to the Town than was in the initial Planning Board article. Secondly, we have restricted the development to 225 units, if the SHOD is used for this development. There is restriction on subdivision as well. Third, a very important thing for the Board of Selectmen was we wanted to make sure that the Town remained above its ten percent affordability level. This article along with the development agreement specifically does not allow the developer to pull a permit if the Town is not at eleven percent affordable units. Forth, the article and the development agreement binds the present owner and fifth, the monies that were going to go to the Community Preservation Committee, instead they go to the Board of Selectmen. The reason for that is that the Community Preservation Committee is a new committee. It has not been set up to, first, take political positions on development. I think we had some concerns with that. And, secondly, from an administrative standpoint that really needs to be explored in greater depth. So normally, the Board of Selectmen, when they negotiate these types of development agreements structure is such this fashion. So, in summary, speaking for the Board of Selectmen I think we've built upon the template of the Planning Board article."

Mr. Burr further stated that the "The Board of Selectmen is in support of this. We think this is the type of housing that the Town of Canton actually needs. It's going to produce \$250,000 a year in property tax revenue. We think it's a good program for the Town of Canton."

Mr. Comeau spoke in opposition to the article citing concern over the process. This information was not available when the Planning Board held its hearings and the development agreement was only made available tonight; therefore, the Planning Board had no opportunity to review it. He felt the article should be brought forth at a future Town Meeting to allow for hearings to take place.

A few citizens expressed concern over Section B of the Board of Selectmen's amendment (amendment #1) feeling that it offers a developer the opportunity to "pay off the Town" in lieu of providing affordable units.

Mr. Salvatori stated that there were a few issues that the Board of Selectmen attempted to rectify with the substitute language, the first being the calculation of the formula. The formula that the Board of Selectmen is putting forth is different from the Planning Boards motion printed in the warrant. The formula that is printed in the warrant states the Board of Assessors would come up with a value for the development for purposes of that calculation. Mr. Salvatori stated that "The Town

Assessor informed us that she does not value rental units. She would value something that has its own deed, its own title. She wouldn't come up with an independent value for each of these housing units for purposes of applying it into a formula. We tried to find a way to come up with a value and that's pretty challenging when you're dealing with rental units, some of which will have one bedroom or two bedroom, it could have two bathrooms, it could have two bedrooms and a den, obviously they have a variety of different potential values, number one. Number two, it's our understanding that representations were made, that the Community Preservation Committee does not wish to be politicized by receiving these types of monies in favor of what development or otherwise. We were trying to find a way to accomplish the receipt of those funds, which are in the underlying article, but still accomplish the receipt of those funds and, in addition, we've added language to it that the Town receives that as a grant of funds which is consistent with the way all contributions are made to the Town. The Board of Selectmen accepts them under the language that you see in the substitute motion. Additionally, there was another point that we need clarification on, and we desired to give you clarification on, and that was, that of the number of units that would be counted during the decennial census. The next decennial census doesn't occur until 2020, so there is the potential in the underlying language that we're seeking to substitute that we could not necessarily get closure on, which units would or wouldn't be counted for six more years. And I assure you, herculean efforts have been undertaken by both the proponent of this language, the proponent of the subsequent articles seeking to apply it, and by the Town, to get the DHCD and/or the US Census Bureau to give us a definitive answer of exactly whether or not these units would or would not apply. So it's an enormous variable. The substitute language now says, and it is acknowledged by the proponent, that we're going to assume all independent living units will count, so there's no variable. We're not going to wait until the census in 2020; we're going to count it right now. Before you pull your building permit, that number of units is what the formula is applied upon. If there's a subsequent additional expansion of the project, that then is also applied to the formula. There's no delay, there's no debate, there's no researching whether it was or wasn't counted. Additionally, we also are very, very concerned with the idea of affordable housing and I'd like to believe the audience and the folks at home would agree with this, the Board of Selectmen fought very, very hard when we've had predatory type of 40B developers come into this Town and we've worked very cooperatively and collaboratively with the Zoning Board, the Planning Board, the Finance Committee and many others to try and defend the Town. We're very conscious of that, but we're also very conscious of, and if you would allow me a little latitude because I'm not clear if this is within, not within where we are, but we're very conscious of it but the type of development that is being contemplated, with this type of intense services, really isn't one that's conventional as far as housing goes. It's not our typical apartment, it's not our typical condominium, town house, single family, duplex, triplex, it's not. It's not somebody coming in and renting, and staying there and providing for themselves. The addition of all of these additional services, the comprehensive level of services that are afforded to both the assisted living and the independent living in this type of a development really don't lend itself to the conventional inclusion for affordable housing, necessarily. So, what we're hoping to do is defend, in the underlying article, as well as in our substitute motion, Mr. Moderator, the concept of having the Town have some degree of flexibility. If the developer comes forward with a project, that really, in this discrete situation, may not be as applicable for purposes of affordable housing. I'm not suggesting there isn't merit to it but it give us discretion to evaluate the specific project under this type of senior housing which is so incredibly intensive with services. So I'm trying to remain focused on this. I have much more information to provide on the underlying article which I won't at the moment but

I'm hoping that people will understand what we're attempting to do in the underlying article, with the substitute motion. So please allow us to go forward and actually discuss the merits of this type of housing. Let's get this amendment passed." Mr. Salvatori went on to say that "In the event that we eliminate these types of options we are potentially limiting our ability to attract these types of businesses for our consideration."

Chris Connolly stated that the Planning Board as a whole is not available to take a vote on the Board of Selectmen's motion but he feels the motion is "far superior" to what is printed in the warrant.

Diane Gustafson asked "If we accept this amended motion and Town Meeting then moves forward to accept the underlying motion, have we essentially said that any developer that comes in under this new zoning by-law has the option of providing affordable housing units or paying off the Town and if that certain amount of money in lieu of providing the options and, if that's the case, we've obviously made a decision as a Town that there's a certain group of developers of a certain kind of properties that we're going to exempt from the affordable housing requirements, are we going to then extend that same exemption, over the years, to other developers doing other types of development and what are the criteria that we're going to use to avoid getting back into a situation where we're teetering on the edge of not having our ten percent housing."

Victor Del Vecchio, a member of the Board of Selectmen, stated "First of all, let me apologize to the Town Meeting. I understand how confusing this is and I have had the opportunity over the last two and a half weeks or so with our Board, particularly Selectman Salvatori, to delve into this in depth and it's not simple and I think the way it was presented tonight made it more difficult for you, so our apologies, collectively. The way that the Planning Board substitute, original motion in your warrant read, it provided for an option. It provided the applicant to make a request for an option. The Board of Selectmen essentially adopted that approach but they made it more stringent. And the process that was initially incorporated in the Planning Board's motion, or article, was essentially that a developer could come and request of the Zoning Board of Appeals to either apply the twelve percent factor or seek to make a compensation, we called it a payoff. I don't know that I would use those terms. And the reason why, frankly, there was an option is because it's not entirely clear in the existing law that affordable housing applies to something that would be considered congregate living. And to the extent that these are affordable, that they are assisted living units, they fall into the quarter or congregate living category, as determined not by the Department of Housing and Community Development but rather by the US Census Bureau, which has made our jobs a little more complicated because you can't just go to the state because they defer to the US census. So, under the Planning Boards original proposal they had an option, but it wasn't an absolute option, they had to seek to convince the Zoning Board of Appeals to exercise it's discretion to determine that there was a benefit and then identify certain factors. We looked into that to see if there was merit to the Planning Boards approach and we thought there was merit because we can't definitively determine based on a significant attempt, I think, whether these units are countable or not for purposes of our housing stock, which goes to the 40B issue. We said let's work with that structure and let's see if we can make it more stringent. What we did is two things. One, since we needed to, and this gets into the development agreement which you have a copy of, we had them agree to a series of conditions in addition to that which would ordinarily apply in the underlying by-law, which we could talk about. But one had to do with the amount that they would have to pay. We determined, in our view, and, look, if I had my way the number



might be a little different but what's perfect is sometimes the enemy of what's good. Ultimately we determined what would be good for this community would be to have this kind of housing, require that the threshold, should they opt for that and the Town agree, and in this case they would have agreed because in our development agreement we agreed, as a Selectmen, to allow them to exercise that request. It still goes to the Zoning Board of Appeals, however, under the by-law. And the ZBA has to agree with what we said because ultimately it's the Zoning Board of Appeals that is the special permit granting authority. So it increases the threshold. The payment, as opposed to being, I think what they had originally proposed would have worked out to about \$250,00, it now would be a minimum \$600,000 and it could rise to above a million dollars depending on the number of independent living units that they seek to include. What we did determine in our research was that the so-called assisted living which is where folks general don't have kitchens and ranges, they're really relying on true congregate housing. That's not subject to our housing count. It's not considered to be fifty units. The whole structure of an assisted living facility is considered one unit. Where the debate was, was to the extent they had independent living units within this compound, and those typically have kitchens, where people are more self-sufficient. Even though they're over sixty-two, they could be in their eighties, which we're told is the general population, on those it's debatable and because of that debate, the Planning Board had originally agreed to create the structure and the Selectmen adopted that structure but we made it more stringent on behalf of the Town. That's question number one. Question number two, future precedence, I thought about this long and hard myself. We are, fortunately, in a good position relative to 40B and, as you may recall, ten years ago when I was just coming to the Board, negotiated agreements that brought us above the ten percent threshold. Right now, according to the ACD we're at 9.9 percent. We're right at the precipice. So, nothing we do here tonight should jeopardize our 40B status, nothing. So what the Selectmen did in the development agreement was to require that this plan, if approved by Town Meeting tonight, would not get implemented until and unless the Avalon project, which we fought for many years, but which is happening, until that project actually get certified and included in the housing count, which would raise us to about twelve percent. So we'll have, assuming that this gets approved, we already have, or will have, twelve percent or more. Additionally, we've been talking about the Plymouth Rubber project. That project, at least from my perspective, and I think I speak for other Selectmen as well, ultimately the Town will decide, will have an affordable housing component in it. That's more of your conventional housing stock, unlike the assisted living facilities stock, wherein, for those units of its kind of congregate living it's a bundled service. You just don't rent an apartment; you get all of the services associated with the care that typically applies to those that are not sufficiently self-sufficient. So, from our perspective, given the ambiguity as to the application of the 40B threshold decision, in the first place, and the fact that this is a very different kind of bundled service that for the most part applies, we did not think that it would jeopardize, from a precedential perspective our ability as a Board on behalf of the community to assert, as I think we will in the Plymouth Rubber case, that we should continue to insist on 40B or 40R, something that has affordability built in. And, as you know, we do have affordability provisions in others kinds of overlay. This kind of overly, which is one of the reasons why I think that there is so much confusion is very different from what we've had so far in Town."

Ms. Gustafson thanked Mr. Del Vecchio for his clear explanation to this confusion of amendments and last minute changes. Ms. Gustafson also stated that Mr. Del Vecchio raised some very good points but feels "the Town needs to think very carefully about the precedents that we are setting".

Mr. Staiti wished to remind the Town Meeting that there are safeguards in place before any project would go forward. First, in the proposed amendment there is verification that the Town must be at the ten percent level. Second, there would have to be a joint meeting between the Planning Board and Board of Selectmen to discuss the project. Third, in the case of Attorney Staiti's client, they have already agreed to count the independent units.

Mark Porter, Chairperson of the Finance Committee, stated that the committee voted four to one to support the Board of Selectmen's amendment. The reason one individual is opposed to the amend is because it was only received by the committee today.

Tori McClain, a member of the Planning Board, spoke against the article, believing that although she feels that the Board of Selectmen's amendment is an improvement she still does not feel it is appropriate for the Town.

A few citizens expressed their frustration that the amendment was not available prior to Town Meeting to allow voters to digest the information and make informed decisions.

Mr. Hines stated "the timing of when opportunity arises doesn't always give nine months preparation time and negotiating with other attorneys or other people that are going to come before, and present opportunities to us. So, as a member of, at least, one of the boards, we have to take the cards we're dealt with, we have to do the absolute best we can to do the diligence to make the recommendations we can make to the voters of this Town and give the information we can give so you can make informed decisions, albeit, sometimes it's at the last minute because some of these negotiation things do not happen until the last minute...because there is increased efforts, people are willing to bend and change their positions in order to reach a decision that is amenable by both sides and reach a compromise when the deadline is closer to approaching".

Arielle Spadea asked, through the Moderator to Mr. Del Vecchio, what provisions are in place to prevent senior housing developments from turning into apartments or condominiums in the future.

Mr. Del Vecchio responded "This project gets approved by way of a special permit of the Zoning Board of Appeals. The Zoning Board of Appeals has the right to condition its approval, and this would be a material factor in the approval of any of these projects because the intent of the overly district is to insure that this type of usage is actually implemented, so, the answer is the Town and the specific agency is Zoning Board of Appeals, which in many other instances in our Zoning By-laws is specifically delegated by the Town Meeting with the authority to do just that."

Ms. Spadea asked if this would be the case if the developer went bankrupt.

Mr. Del Vecchio responded "Even if it goes bankrupt because the Zoning By-law still exists and secondly, there is a condition that would run with the land that the Selectmen negotiated, albeit recently, because we got this recently, which would require that the conditions would continue in perpetuity because it runs the land, so yes."

Amendment #3 to change the amount of "\$7,500" to read "\$7,501 in section "B" subsection "c" of the wording in the Board of Selectmen's amendment (amendment #1) is approved.

#### MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS

Mr. Staiti, attorney for the petitioner, stated "SHOD represents Senior Housing Overlay District. The reason we would hope you would support this overlay in this amendment to the by-law are threefold. We think it's a definite benefit to the local neighborhood and to the Town in general. Certainly, comparing what the existing site looks like and in terms of the use of the existing site, and then comparing to what we intent to do, and replacing it, we think that, with no disrespect to the current owner, we think this is a better use for that piece of land. Secondly, there is a financial benefit. Let's not get down on the affordable cash contribution. This is strictly on the merit of what we're placing on the site. The present owner of the land pays roughly \$35,000. This we have verified from the Assessor's office. Brightview it is estimated will pay over \$200,000 in addition to that amount, or roughly \$230,000 to \$250,000. So it is a gain to the Town financially by having this place, as such. And, third, going back to the master plan, as we've talked about with the Planning Board and other people, certainly there's a growing need for senior housing. There's certainly a need, at the same time to preserve open space and this by-law, as structured, does do that. And there's also mentioning in the master plan, the need to find innovative ways to use the land in about the Route 138 corridor. So, essentially, we feel this plan that we are presenting in this by-law is consistent with that. Now, a little background on the proponent of the article, Brightview is a leading provider of senior living in Massachusetts. They own and operate four currently in the state, with two currently under construction. The nearest one is a very fine facility, the Walpole, New Pond Village. Basically at a senior housing district in a component like this you have what are independent living units but that's a euphemism, it's a tricky state of art. Even though we had the age set at sixty-two, a typical resident is age eighty-five and above. They don't drive, or they don't drive that much and they need help with many of the things of daily living. They also would have a certain component of assisted living units. The residents at this point have more physical disabilities and more challenges. They don't quite need a skilled nursing facility, so they're not at that point yet where they might need a nursing home. Caretakers are assigned to help them out and, again, this would also include a secured section for memory care and Alzheimer's. To give you an idea, and I know there's frustration tonight, and I appreciate your patience and your support so far. It wasn't like we just came on board in the last week or two and said 'please approve this'. We started our process talking with the members of the permit advisory committee and that's a wide range of people, made up of different officials and people who work in the Town of Canton. We've held two or three neighborhood meetings, again, trying to listen to their concerns and trying to incorporate their concerns as best we could. We did receive, after much hard work, and we're very grateful for that, the support of the Planning Board, and after an initial visit to the FinCom, which understandably had some questions, we did go back a second time, present some very import information and, at that time, did receive unanimous support. In addition, we've met with the Council On Aging, we've explored chances to work with and help out the Housing Authority and, of course, we've just recently concluded now the development agreement with the Board of Selectmen. So, we've done our homework, we've been around and working hard, again, to make sure this product is a good product for the Town of Canton. Again, what is the number of units? In the development agreement it says two hundred and twenty-five. That's not going to happen right away but we had to give a number in terms of what the max could be. Certainly they'll be some phases,

we've told that to the Chairman of the Planning Board, when asked, and we've told that to other people as well. Hopefully, and I say that, we would probably begin with maybe a lesser number and then perhaps begin a phase 2. But the max is set in the development agreement. You've got protection. It can't exceed that number. We're looking to build a three story building and, again, even with all of the things we're going to do an enormous amount of open space will be preserved on this site. Again, to clarify at least what your voting on and in consideration and without taking too much time article 16 creates the overlay district, article 17 would amend the map, which is obviously on 125 Turnpike Street and article 18 provides some definitions. We think when this is put in place there's going to be an increase benefit in terms of that site with some nice landscaped property, and again, lots of open space. The use will be very, very quiet and it should blend in nicely with any kind of single family neighborhood that's in the surrounding area. Residents always seem concerned about traffic, we know that, and we feel they'll be minimal impact on traffic because most of the residents don't drive. The assisted living and memory care do not have automobiles, so half of that population is reduced right there. Of the independent units, a very small part drive, and that's based on industry standards, they'd rather use the transportation provide by the company in the form of vans and other services. Also, of course, what about the workers, how do they get there, what time do they come? History of having the workers come in off peak hours. Again, we feel it would be a very minimal effect on traffic; however, to protect the interest of the Town, in the by-law, if you see, required by the Planning Board, with good forethought, is that there must be a complete total traffic study as part of the site plan approval and special permitting. So again, you've got that safeguard in there and obviously will be guided by those recommendations accordingly. In general, the Senior Housing Overlay District is restricted to people sixty-two and over. Why is it sixty-two? Why wasn't it eighty-two or something higher? The reason is this, by statute you're only allowed to set up two age, if you will, discriminations, you need two age discriminations, one is fifty-five and over, which Canton already has on board, the other is sixty-two. We would have like to set it at eighty but it's against the law, and again, what Brightview's cliental is, is usually well in excess of age eighty. They must provide meals, cleaning and those services. Senior Housing Overlay District is very different from a typical apartment or residential development. Those things must be provided. There's minimum of ten acres of upland. If you want to quickly check the Zoning By-law you'll see in the VHOD it says ten acres, period. It doesn't say upland. We have to have ten acres of upland, and this site over seventeen so we certainly will fulfill that. Open space. We must have thirty percent. When we're all done I am confident we will have more than fifty percent but I don't want to put a number because people look at numbers and then they say well you said this and that, so we're going to hold off on that but certainly we're not going to use up, we're going to have a generous amount of open space. As far as the by-law goes, you must have thirty percent. Buffer area. It was suggested at the hearing that we have a minimum of ten feet. We incorporated that in the by-law. There will be excess of that for sure at this site but by the by-law, a ten foot minimum. Lot coverage. You can't exceed more than thirty percent. Speaking on the plan, very quickly, will provide less than twenty but the by-law requires a max of thirty percent. Height restrictions. Certainly, that is always something that it a sensitive topic, people have concerns about height but if you look in the Zoning By-law at the various overlays, and we have many, there's one that allows forty, there's one that allows forty-five, one that allows thirty-five. We thought thirty-six was a reasonable number and all that we're asking is what is basically allowed in the Zoning By-law. You can add additional height if you push back certain setbacks, you're allowed to do that, but at the request of the Planning Board we wanted to level and keep it capped at forty-two. The highest it could be is forty-two. If you're familiar with this

site, there's a great slope, the topography on 138 in terms of where we want to put the building slopes down quite a bit. There are other restrictions outlined in the by-law as well, frontage, setback, side yard, they were all generous and, again, they were all carefully reviewed and endorsed by the Planning Board, which did very hard work to make sure that those safeguards are put in place. If someone wanted to come back next year and put in a SHOD in Canton they have to come back to Town Meeting and seek Town Meeting approval to amend the zoning map. The SHOD itself isn't a pass by tonight, it will require action from the Planning Board on site plan approval as well as a special permit from the Zoning Board of Appeals. So, again, there are different safeguards build in place for any neighbor or the Town itself. This just gets us started, if you will."

Mr. Staiti went on to say that Brightview will have private snow removal, private trash pickup and the Town ambulance will not be called upon unless it is an emergency. For routine transfers of patients they will use their own private ambulance, minimizing the effect on the Town of Canton. Mr. Staiti also confirmed that Brightview will not go forward "until Canton is at that twelve percent mark".

Deb Sundin spoke in opposition to the article stating that while she believes the Town needs senior housing, she has surveyed other towns and found that many have a local preference built into the by-law, not in a development agreement with a specific developer. Also, other towns offer a third option to the cash contribution, that being to provide affordable housing at another site equal to the percentage they should have had on site.

VOTED: That the Town's Zoning By-Law, Section 9, Special Districts, be amended by adding a new Section 9.9, "Senior Housing Overlay District" as set forth below:

9.9.1 Purpose. The purpose of the Senior Housing Overlay District (SHOD) is to:

1. Provide for the establishment of a specialized Senior Housing Community that will furnish mixed and diverse varieties of enriched service, supportive and secure housing for individuals sixty-two (62) years of age or older who do not want or need placement in a hospital or nursing home.
2. Create regulatory procedures to promote flexibility in land use planning in appropriate locations for the uses defined herein
3. Provide for residential development in a manner that conserves environmental features, woodlands, wet areas, open space, areas of scenic beauty, views and vistas. Such communities shall be designed to achieve compatibility with their surroundings and to encourage orderly and well-planned development.

9.9.2 Overlay District; Applicability. The SHOD shall be construed as an overlay district. This district may be applied as an overlay to any parcel of land which has been designated by a town meeting vote. All requirements of the underlying zoning district(s) shall remain in full force and effect, except where the requirements of the SHOD are less restrictive or provide for uses or structures not otherwise available in the underlying district(s). In such cases the requirements of the SHOD may supercede the underlying zoning regulations upon the issuance of a special permit from the Zoning Board of Appeals.

9.9.3 Locations and Eligibility. No parcel shall be placed in the SHOD unless it contains ten (10 ) contiguous upland acres of land . The location of a SHOD shall include all land designated by Town Meeting as being within the SHOD, pursuant to G.L. c. 40A, s. 5.

9.9.4 Definitions. See Section 11, "Senior Housing Overlay District."

9.9.5 Use Restrictions and Requirements. A Senior Housing Community may be authorized by a special permit issued by the Zoning Board of Appeals pursuant to this Section and in compliance with the standards set forth herein.

1. Multifamily residential structures consisting of dwelling units occupied by persons 62 years of age or older and which are designed as townhouse style structures to have dwelling units side by side or as apartment style structures to have dwelling units placed one above another. There may be more than one building on a single lot in a Senior Housing Community with a minimum of thirty feet for internal lot line setbacks within the Senior Housing Community.

2. Structures and uses accessory to the Senior Housing Community including but not limited to: meals and communal dining, transportation, laundry, recreation, entertainment, exercise, healthcare, therapy, beautification, automated teller machines and limited banking, and community activities.

3. All Senior Housing Community dwellings shall be connected to the public sewer or shall comply with the provisions of the State Sanitary Code, 310 CMR 15.00, any other applicable State regulations, and with the rules of the Town of Canton Board of Health.

9.9.6 Density. No building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, which exceeds one dwelling unit per -three thousand seven hundred and fifty (3,750) square feet of "buildable lot area". Upon placement of an eligible subject property in this SHOD by vote of Town Meeting, and if the applicant for a special permit pursuant to this Section 9.9 desires to subdivide the subject property for the sole purpose of donating a portion of the subject property's total acreage to the Town of Canton, and where the subject property shall thereafter fully maintain compliance with all other requirements of the herein overlay district, the Special Permit Granting Authority may adjust the density factor to allow the subject property to maintain the right to total unit count available prior to any such subdivision and subsequent donation. Said donation shall be received by the Town of Canton via its Board of Selectmen subject to MGL Ch 44 s 53A. Under no circumstances shall such a subdivision cause the subject property to be out of conformity with any other requirement of the herein overlay district.

9.9.7Application. An application for a special permit for construction within a SHOD shall be submitted to the Zoning Board of Appeals on forms furnished by the Zoning Board of Appeals, accompanied by the fees set forth below, the following information and data, and a development plan as described below:

1. All of the information required for site plan approval pursuant to Zoning Bylaws Section 10.5;

2. The name(s) and address(es) of the Applicant and all legal and beneficial owners of the site and an instrument executed by all persons owning property constituting the site consenting to the development of the subject property, as applied for.

3. A proposed development schedule showing the expected start of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.

4. A narrative report prepared by the Applicant's qualified professionals detailing the impact of the development on the Town's capacity to furnish services, including, but not limited to, roads, water and sanitation.

5. Information regarding the number and kind of units and other structures (including signs) proposed, their location, the number of units planned for each use (i.e. independent living , assisted living, and memory care), the type of materials to be used in construction. The architecture of the structures shall be sensitive to the abutting structures and residences.

6. Areas to be set aside for building structures, parking areas, and any easements.

7. A Traffic Study prepared by the Applicant's qualified professional and any other information that the Zoning Board of Appeals may reasonably require in a form acceptable to said Board to assist in determining whether the Applicant's proposed development plan meets the objectives of this Section.

9.9.8 Lot Coverage Requirement.

At least thirty percent (30%) of the Senior Housing Community shall be open space. The open space shall have a shape suitable to assure its use for landscaping and/or open space purposes.

In all districts, the Zoning Board of Appeals may approve a Senior Housing Community with no more than 30% lot coverage.

9.9.9 Dimensional Regulations. All dimensions shall comply with the lot dimensional regulations of this subsection. In addition, the applicant shall prepare a "Development and Use" plan in accordance with design standards submitted and approved by the Zoning Board of Appeals.

Requirement	Residential District	Business, Industrial, Limited Industrial
Minimum lot area	10 acres	10 acres
Minimum Frontage	150 feet	150 feet
Minimum Lot width	200 feet	175 feet
Minimum Front yard	60 feet	60 feet
Minimum Side yard	40 feet	35 feet
Minimum Rear yard	50 feet	40 feet

9.9.10 Minimum Lot Frontages. SHOD sites shall have a minimum frontage of one hundred and fifty (150) feet and at least one means of ingress/egress provided by a primary public roadway.

9.9.11 Landscaping. A minimum buffer area of ten (10) feet shall be provided at the perimeter of the SHOD site. -Additional screening shall be designed and installed within setback areas adjoining or facing residential properties, to the extent deemed appropriate by the Zoning Board of Appeals as a part of the site plan

approval process. Vegetation in this buffer area shall not be destroyed or removed, except for normal maintenance. Buffer areas shall be included in calculating the Open Space requirement of this by-law. Applicant shall file a landscape plan, prepared by a landscape architect, that demonstrates sufficient plantings to provide adequate screening. The landscaping plan shall strive to be consistent with the requirements of Section 10.5 in terms of the percent of the total interior landscaped area. The Zoning Board of Appeals may reduce the width of the required buffer and modify other landscaping requirements where the applicant demonstrates that suitable screening will be provided by other means.

9.9.12 Parking and Loading. There shall be a minimum of (a) 0.75 parking spaces per independent living dwelling unit and (b) 0.5 parking spaces per assisted living dwelling unit and these calculations include necessary staff and visitor parking. The Applicant shall provide information detailing the method of computation of parking spaces. All parking shall be confined to the site except as allowed under Section 4.05 Parking for residents of the SHOD must be reserved exclusively for their use. The Applicant shall demonstrate sufficient off-street loading space to insure that all loading operations take place off the public way.

9.9.13 Stormwater Management. The stormwater management system shall be designed in accordance with the Subdivision Regulations and the MassDEP's Stormwater Management Guidelines and Regulations, as amended.

9.9.14 Utilities. All electric, gas, telephone, water distribution lines, and other utilities shall be placed underground.

9.9.15 Building Height. No building or structure shall be constructed to exceed thirty six (36') feet. Maximum building height shall be measured as set forth in the State Building Code 780 CMR. Structures erected on a building and not used for human occupancy, such as chimneys, heating, ventilating or air conditioning equipment, solar or photovoltaic panels, elevator housings, antennas, skylights, cupolas, spires, or other such roof structures and the like may exceed the maximum height of building provided that no part of the structures is more than fifteen (15) higher than the upper elevation of the building and the total horizontal coverage of such structures on the building does not exceed twenty-five (25) percent. An additional one foot in height - - may be obtained by special permit granted by the Zoning Board of Appeals by which applicant demonstrates an additional foot in excess of the required setback distance, narrower side yard, or rear yard depth whichever of the three is the smallest; provided however, the height in any case shall not exceed forty two (42) feet.

9.9.16 Lighting. All lights and other sources of illumination (whether interior or exterior) and all intense light emanating from operations or equipment shall be shielded from direct view at normal eye level from streets and residential districts.

9.9.17 Signage. All signs and awnings shall conform to the maximum area, height, number, setback and illumination requirements set forth in Section 6.3.

9.9.18 Noise Regulation. From the date the Senior Housing Community receives its final Certificate of Occupancy, no activity or use shall be allowed which causes exterior noise levels to exceed a day-night average sound level of 65 decibels at the lot line; no dwelling unit shall be located where exterior noise levels exceed a day-night average sound level of 65 decibels ; and no dwelling unit shall be constructed which allows interior noise levels to exceed a day-night average sound level of 45 decibels. The daynight average sound level (Ld,,) is the 24-hour average sound



level, in decibels, resulting from the accumulation of noise from all sources contributing to the external noise environment of the site (with 10 decibels added to sound levels occurring from 10:00 AM to 7:00 PM. The day-night average sound level shall be determined in accordance with The Code of Federal Regulations, Title 24 Housing and Urban Development, Part 51 Environmental Criteria and Standards (24 CFR 51).

#### 9.9.19 Affordable Units.

In accordance with the provisions set forth in this Section 9.9.19 below, at the request of the applicant the Zoning Board of Appeals as Special Permit Granting Authority in acting upon the application for a special permit for the SHOD development shall make specific findings as to whether there will be a benefit to the Town as a result of allowing the applicant to make a grant of funds to the Town in lieu of inclusionary affordable units in the SHOD development.

The Zoning Board of Appeals shall consider, as the most significant factor in making this finding, whether the applicant and the Town acting through the Board of Selectmen have executed a Development Agreement that includes without limitation the applicant's agreement to make a grant of funds to the Town for use in developing or fostering the development of affordable housing in the Town or for use by the Town for any other municipal purposes. The execution of such a Development Agreement shall strongly indicate that the Zoning Board of Appeals should find that there will be a benefit to the Town as a result of allowing the applicant to make a grant of funds to the Town in lieu of inclusionary affordable units in the SHOD development.

The findings shall also include consideration of appropriateness of the development site location for income eligible households, including proximity to and quality of public transportation, schools and other services, as well as input from the Planning Board and the Board of Selectmen. In exercising its discretion to decide whether a benefit would result to the Town in allowing a grant of funds in lieu of inclusionary units, the Zoning Board of Appeals shall be subject to the following.

A. At least twelve percent (12%) of the number of Independent Living units in the SHOD shall be restricted for rental by persons earning not more than eighty percent of the area median family income as defined by the DHCD. Such affordable units shall be integrated into the overall development so as to prevent the physical segregation of such units and otherwise shall be indistinguishable from market rate units and their associated services except in size and interior finishing and appliances.

B. Grant of Funds—Subject to the Zoning Board of Appeal's or Board of Selectmen's respective determinations in Section 9.9.19 A, in lieu of providing affordable units within a development as described in Section 9.9.19 A, the applicant may choose to make a cash contribution to the Town of Canton via the Board of Selectmen pursuant to MGL Ch. 44, s. 53A, which payment shall be made upon the issuance of the first building permit associated with the applicant's project. In doing so, the applicant shall comply with the following procedure:

1. Pre-Application Meeting—The applicant shall convene a pre-application meeting with the Planning Board and the Board of Selectmen to discuss the project proposal and affordable housing requirements.

2. Submittal of Affordable Housing Plan—The applicant shall fill out and submit a Cash Contribution Form as part of the pre-application meeting for site plan approval to the planning board. This form requires the following information:

a. Name, location and statement of the total project units and the type of units.

b. Verification from the DHCD that the town is in compliance with the 10% requirements of affordable housing standards for the community.

c. The following formula shall be applied as the basis for the cash contribution: Total number of Independent Living units in the SHOD X \$7,501 = Total Donation.

d. The total amount of the cash contribution to be made by the applicant.

e. If the development shall occur in more than one phase, each phase shall expressly be subject to the donation formula herein.

C. The Zoning Board of Appeals in issuing the Special Permit will rely upon input from the Planning Board and the Board of Selectmen to ensure compliance with the provisions of this section. In addition, the Zoning Board of Appeals may impose conditions in which the building commissioner may limit, restrict, or withhold the issuance of a certificate of occupancy for any market rate unit(s) in a development until, to the extent applicable:

1. all of the affordable units have obtained a certificate of occupancy; or

2. any land, buildings, off-site units and/or cash contribution agreed upon to be donated to the Town or its designee have been conveyed.

9.9.-20 Fees. - The filing fee for a Special Permit pursuant to this section shall be \$1000.00. The Planning Board may charge the applicant a filing fee for site plan approval in addition to a technical review fee pursuant to MGL . c44 s. 53G to engage professional services to review an application for a special permit within the SHOD .

9.9.-21 Accessibility. The facility and parking shall comply with all state and federal requirements for handicapped access.

9.9.-22 Public Transportation. - Applicant shall provide shuttle service for residents to nearby public transportation facilities and other community resources.

9.9.23 Decision. A site plan pursuant to the provisions of Section 10. 5 shall be required. The Zoning Board of Appeals may issue a special permit for a development in the SHOD when it finds that the proposed use is in harmony with the purpose and intent of the bylaw and the proposal shall be subject to general or specific provisions set forth herein. The Zoning Board of Appeals may waive any or all of the dimensional requirements, when, in the judgment of the Zoning Board of Appeals, such action is in the public interest and not inconsistent with the provisions of this Section 9.9 Any such permit issued may also impose reasonable conditions, safeguards and limitations of time and use. The Zoning Board of Appeals as Special Permit Granting Authority reserves the right to amend, modify or revoke any permit granted for noncompliance of aforesaid conditions.

ADOPTED MAJORITY SHOW OF HANDS, MORE THAN TWO-THIRDS

## ARTICLE 18

### **AMEND THE ZONING BY-LAWS SECTION 11 WITH THE FOLLOWING DEFINITIONS RELATING TO THE SENIOR HOUSING OVERLAY DISTRICT (SHOD)**

**Article 18** To see if the Town will vote to amend the Zoning By-Law of the Town, as most recently amended, so as to by inserting into Section 11 the following definitions as they relate to a proposed Senior Housing Overlay District , and to make such changes in substantially the following form:

**"SHOD Overlay District:** The following definitions shall apply in the Senior Housing Overlay District, Section 9.9

**Applicant:** The person or persons, including a corporation or other legal entity, who applies for issuance of a special permit for construction of a Senior Housing Community hereunder. The Applicant must own, or be the beneficial owner of, all the land included in the proposed site, or have authority from the owner(s) to act or hold an option or contract duly executed by the owner(s) and the Applicant giving the latter the right to acquire the land to be included in the site.

**Senior Housing Community:** A self-contained residential community created expressly for residence and use by persons aged 62 years or older, in accordance with M.G.L. c. 151G, Section 4, Subsection 6, that consists of independent living units and assisted living units (including memory care units), or a combination thereof. For such independent living units, ancillary services may be provided to residents such as meals and communal dining, transportation, laundry, recreation, entertainment, exercise, therapy, beautification, automated teller machines and limited banking, and community activities. For such assisted living units, the foregoing services may be provided to residents in addition to the supportive services permitted by M.G.L. c. 19D and the regulations promulgated thereunder. A Senior Housing Community shall be permitted only within the SHOD and only upon the granting of a special permit by the Zoning Board of Appeals.

**Buffer:** An area within a SHOD adjacent to its boundaries, streams, and ponds, which may not be developed except as provided herein.

**Development Schedule:** A schedule showing the order and timing of construction and the sequence of the improvements to be built or furnished in the Senior Housing Community site, separated into stages where applicable.

**Open Space:** Any such area of land containing no building, structure, or impervious surface material. In the event natural materials (i.e. brick, stone, pavers, etc.) are used in the construction of walkways, courtyards, patios, etc. the area of these surfaces can be credited towards the open space requirement.

**Regulations:** The applicable rules and regulations of the Zoning Board of Appeals relative to special permits and site plans. The Zoning Board of Appeals, as the Special Permit Granting Authority, reserves the right to modify and/or waive any and all requirements described in section 9.7

**Upland acres:** Land without a wet area and not subject to flooding.

**Wet Areas:** All land subject to the provisions of M.G.L. c. 131, Sections 40 and 40A."

Copies of these amendments have been placed on file and are available for public review at the office of the Planning Board; at the office of the Town Clerk; at the office of the Board of Selectmen; at the research desk of the Canton Public Library; and on the town website or to take any other action in relation thereto.

**Petition by for Attorney Richard R. Staiti and 19 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the subject matter of Article 18 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the Zoning By-Law of the Town, as most recently amended, be amended to insert into Section 11 definitions of terms, as set forth in the Warrant, relating to the Senior Housing Overlay District (SHOD).

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board's motion as printed in Article 18 of the warrant.

Mr. Connolly deferred to Attorney Richard Staiti.

Mr. Staiti, attorney for the proponent of the article, in an effort to correct an omission in the warrant which was voted by the Planning Board, moved the following amendment to the Senior Housing Community section of the article, which was recommended by the Finance Committee and makes the language stronger:

Senior Housing Community: A self-contained residential community created expressly for residence and use by persons aged 62 years or older, in accordance with M.G.L. c. 151G, Section 4 Subsection 6 that consists of independent living units and assisted living units (including memory care units), **and** a combination thereof. **Said community shall contain a minimum of 25% of each of the described units to qualify as a Senior Housing Community.** For such independent living units, ancillary services **will** be provided to residents such as meals and communal dining, transportation, laundry, recreation, entertainment, exercise, therapy, beautification, automated teller machines and limited banking, and community activities. For such assisted living units, the foregoing services **will** be provided to residents in addition to the supportive services permitted by M.G.L. c.19D and the regulations promulgated thereunder. A Senior Housing Community shall be permitted only within the SHOD and only upon the granting of a special permit by the Zoning Board of Appeals.

Amendment approved.

**MAJORITY VOICE VOTE, MORE THAN TWO-THIRDS**

Attorney Staiti, moved that the words **"In the event natural materials (i.e. brick, stone, pavers, etc.) are used in the construction of walkways, courtyards, patios, etc. the area of these surfaces can be credited towards the open space requirement."** under the Open Space section of the motion be deleted as recommended by the Finance Committee and supported by the Planning Board.

Amendment approved.

#### UNANIMOUS VOICE VOTE, MORE THAN TWO-THIRDS

Attorney Staiti stated that it was the suggestion of the Building Commissioner to have definitions in the by-law to protect the Town from a developer using the SHOD for other purposes and the amendments make the definitions even clearer. The residents must be aged 62 or older and the services must be provided. Amending the definition of open space makes it harder on a developer. They cannot cut corners; they must have true open space. The Planning Board did approve this.

VOTED: That the Zoning By-Law of the Town, as most recently amended, be amended to insert into Section 11 definitions of terms, as set forth in the Warrant, relating to the Senior Housing Overlay District (SHOD).

**"SHOD Overlay District:** The following definitions shall apply in the Senior Housing Overlay District, Section 9.9

**Applicant:** The person or persons, including a corporation or other legal entity, who applies for issuance of a special permit for construction of a Senior Housing Community hereunder. The Applicant must own, or be the beneficial owner of, all the land included in the proposed site, or have authority from the owner(s) to act or hold an option or contract duly executed by the owner(s) and the Applicant giving the latter the right to acquire the land to be included in the site.

**Senior Housing Community:** A self-contained residential community created expressly for residence and use by persons aged 62 years or older, in accordance with M.G.L. c. 151G, Section 4, Subsection 6, that consists of independent living units and assisted living units (including memory care units), and a combination thereof. Said community shall contain a minimum of 25% of each of the described units to qualify as a Senior Housing Community. For such independent living units, ancillary services will be provided to residents such as meals and communal dining, transportation, laundry, recreation, entertainment, exercise, therapy, beautification, automated teller machines and limited banking, and community activities. For such assisted living units, the foregoing services will be provided to residents in addition to the supportive services permitted by M.G.L. c. 19D and the regulations promulgated thereunder. A Senior Housing Community shall be permitted only within the SHOD and only upon the granting of a special permit by the Zoning Board of Appeals.

**Buffer:** An area within a SHOD adjacent to its boundaries, streams, and ponds, which may not be developed except as provided herein.

**Development Schedule:** A schedule showing the order and timing of construction and the sequence of the improvements to be built or furnished in the Senior Housing Community site, separated into stages where applicable.

**Open Space:** Any such area of land containing no building, structure, or impervious surface material.

**Regulations:** The applicable rules and regulations of the Zoning Board of Appeals relative to special permits and site plans. The Zoning Board of Appeals, as the Special Permit Granting Authority, reserves the right to modify and/or waive any and all requirements described in section 9.7

**Upland acres:** Land without a wet area and not subject to flooding.

**Wet Areas:** All land subject to the provisions of M.G.L. c. 131, Sections 40 and 40A."

ADOPTED MAJORITY SHOW OF HANDS, MORE THAN TWO-THIRDS

**ARTICLE 17**

**AMEND ZONING MAP TO CREATE A SENIOR HOUSING OVERLAY DISTRICT (SHOD)**

**ARTICLE 17** To see if the Town will vote to amend the zoning map , as most recently amended, by placing a parcel of land of not less than ten (10) contiguous acres of land fronting along Turnpike Street owned by AA Will Sand & Gravel Corporation, being described as Assessors Map 80 , Lot 60 and 65, in the Senior Housing Overlay District" ("SHOD" ) amended by vote of this Town Meeting warrant or to take any actions in relation thereto. Said land is shown on a map attached hereto, copies of which have been placed on file and are available for public review at the office of the Planning Board, at the office of the Town Clerk, and at the office of the Board of Selectmen in Memorial Hall, at the research desk at the Canton Public Library, and on the town website.

**Petition by for Attorney Richard R. Staiti and 20 others**

**FINANCE COMMITTEE MOTION:**

**MOVED:** That the subject matter of Article 17 be indefinitely postponed.

**FINANCE COMMITTEE VOTE: 7-0-0**

**PLANNING BOARD MOTION:**

**MOVED:** That the Town’s Zoning Map , as most recently amended, be amended by placing a parcel of land of approximately ten (10) contiguous acres fronting along Turnpike Street and identified as Assessors Map 80 , Lots 60 and 65, in the Senior Housing Overlay District" ("SHOD" ).

**PLANNING BOARD VOTE: 4-0-0**

Chris Connolly, Chairperson of the Planning Board, moved the Planning Board’s motion as printed in Article 17 of the warrant.

Mr. Connolly stated that the Planning Board voted 4-0 in support of this article. In particular, this location is specifically identified in the Master Plan as a candidate for residential development.

Richard Staiti, attorney for the proponent of the article, stated that the Planning Board did review this and deemed it to be an appropriate site and requested Town Meeting support.

Kevin Folan expressed concern that this would be a drain on emergency resources in this area.

Charles Doody, Fire Chief, stated that research has shown that there would be approximately fifty-five EMS calls annually, which should not pose a significant drain on the Towns EMS services.

Ken Berkowitz, Police Chief, stated that he does not believe additional resources would be required.

VOTED: That the Town’s Zoning Map , as most recently amended, be amended by placing a parcel of land of approximately ten (10) contiguous acres fronting along Turnpike Street and identified as Assessors Map 80 , Lots 60 and 65, in the Senior Housing Overlay District" ("SHOD" ).

ADOPTED MAJORITY SHOW OF HANDS, MORE THAN TWO-THIRDS

**ARTICLE 24**

**AMEND ZONING BY-LAWS SECTION 11.0 – DEFINITIONS - "TRADE SHOP"**  
**Article 24** To see if the Town will vote to amend the definition of "Trade Shop" in Section 11.0 ("Definitions") of the zoning by-laws by changing "five thousand (5,000) square feet" to "ten thousand (10,000) square feet," or take any other action in relation thereto.

**Petition by for Attorney Paul Schneiders and 14 others**

**FINANCE COMMITTEE MOTION:**  
**MOVED:** That the Zoning By-law, Section 11.0 ("Definitions"), definition of "Trade Shop" be amended by changing "five thousand (5,000) square feet" to "ten thousand (10,000) square feet."

**FINANCE COMMITTEE VOTE: 5-1-0**

Attorney Paul Schneiders, sponsor of the article, moved that Article 24 be withdrawn without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

Attorney Schneiders stated that two days ago was the first the proponent knew that an abutter to the property had any objection to what they had believed would be modest changes to the Zoning By-Law. No one had appeared to oppose their plans at the Planning Board meeting. Had the proponent known the neighbor had concerns they would have met with them. The proponent would like to withdraw the article plan to meeting with the neighbor and attempt to resolve their concerns before bringing an article back to Town Meeting.

VOTED: That Article 24 be withdrawn by the proponents without consideration, without prejudice and without unfavorable action thereon pursuant to M.G.L. Chapter 40A, Section 5.

ADOPTED UNANIMOUS VOICE VOTE

VOTED: To adjourn the Town Meeting sine die.

Adjourned at 10:31pm.

Attest:

Tracy K. Kenney  
Town Clerk



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Fire & Ambulance.....	<b>911</b>
Police.....	781-828-1212

<b>FOR INFORMATION</b>	<b>CALL</b>	<b>AT</b>
Animal Control.....	Animal Control Officer.....	781-575-6507
Bills & Accounts.....	Town Accountant.....	781-821-5010
Birth Certificates.....	Town Clerk.....	781-821-5013
Building Permits.....	Building Commissioner.....	781-821-5003
Cemetery.....	Public Works.....	781-821-5040
Conservation Commission.....		781-821-5035
Council on Aging.....	Director.....	781-828-1323
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Dog Licenses.....	Town Clerk.....	781-821-5013
Elections.....	Town Clerk.....	781-821-5013
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Finance Director.....	Finance Dept.....	781-575-6610
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